

TENTH REPORT

(for 1854)

OF THE

PRISON ASSOCIATION

OF

NEW-YORK:

INCLUDING A LIST OF THE

OFFICERS AND MEMBERS.

Made to the Legislature, March 28, 1855.

ALBANY:

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1855.

State of New-York.

No. 149.

IN ASSEMBLY, APRIL 7, 1855.

Tenth Annual Report of the New-York Prison Association.
(for 1854)

NEW-YORK, March 28, 1855.

TO HON. DE WITT C. LITTLEJOHN,
Speaker of the Assembly of the State of New-York:

SIR—In compliance with the sixth section of the charter of the Prison Association of New-York, I herewith transmit the Tenth Annual Report of said Association, and request that you will present it to the Legislature.

I am yours, very respectfully,

R. N. HAVENS,
President of Prison Association of New-York.

OFFICERS OF THE PRISON ASSOCIATION OF NEW-YORK
FOR 1855.

President.

RENSELAER N. HAVENS.

Vice-Presidents.

JAMES H. TITUS,
JOHN H. GRISCOM, M.D.,
ISRAEL RUSSELL,
JOHN D. RUSS, M.D.

Corresponding Secretary.

JOHN STANTON GOULD.

Recording Secretary.

FRANK W. BALLARD.

Treasurer.

HENRY A. OAKLEY.

Executive Committee.

Chairman—JOHN H. GRISCOM.

Finance Committee.

WM. C. GILMAN,
CLAYTON NEWBOLD,

H. P. MARSHALL,
O. P. WOODFORD,

H. A. OAKLEY.

Committee on Detentions.

W. W. DRINKER,
JOHN H. KEYSER,
CHAS A. DAVISON,
GEO. E. BAKER,

CHAS. PARTRIDGE,
GEORGE BRUCE,
JOHN C. SMITH,
CLARKSON CROLIUS,

WM. C. RUSSELL.

Prison Discipline Committee.

Hon. JOHN W. EDMONDS, Pr. S. VAN RENSSELAER,
 JOHN H. GRISCOM, M.D., ISRAEL RUSSELL,
 JOHN D. RUSS, M.D., THEO. TELLKAMPF, M.D.,
 GEORGE HALL, FRED. W. KING.

Committee on Discharged Convicts.

RICHARD REED, MARCUS MITCHELL,
 JAMES C. HOLDEN, ISAAC T. SMITH,
 STEPHEN CUTLER, O. H. WELLINGTON,
 S. L. MACOMBER.

1854

HONORARY MEMBERS OF THE PRISON ASSOCIATION.

OSCAR I., King of Sweden and Norway.
 Hon. JOHN DUER, New-York.
 Hon. B. F. BUTLER, "
 Hon. JOHN W. EDMONDS, New-York.
 ABRAHAM VAN NEST, Esq., "

CORRESPONDING MEMBERS.

SINCE THE ORGANIZATION IN 1844.

A. DE TOCQUEVILLE, }
 G. DE BEAUMONT, } Member of the Institution of France.
 M. CH. LUCAS, }
 M. DEMETZ, Membre du Conseil General du Siens-et-Oise, etc., Paris.
 M. G. BLOUET, Architect du Gouvernement.
 J. G. PERRY, Esq., Inspector of Prisons of Great Britain.
 COL. JEBB, Surveyor General of the Prisons and Director of the Convict Prisons of Great Britain.
 EDWIN CHADWICK, Esq., London.
 Dr. YERDELL, Member of the Great Council, Vice President of the Council of Health, at Lausanne, Switzerland.
 Dr. GOSSE, Geneva, Switzerland.
 JACOB POST, Esq., London.
 * Rev. L. DWIGHT, Secretary of Prison Discipline Society, Boston.
 FRANCIS LIEBER, Professor of History and Political Philosophy, Columbia, S. C., Cor. Memb. of the Institute of France.
 WM. P. FOULKE, Esq., Philadelphia.
 M. MORREAU CHRISTOPHE, Chevalier of the Legion of Honor, France.
 Dr. VARRENTRAP, Germany.
 S. G. HOWE, M. D., Boston.
 Miss D. L. DIX, Boston, Massachusetts.
 Prof. NATHAN DAVID, Copenhagen, Denmark.
 Hon. CHARLES SUMNER, Boston.
 Prof. I. L. TELLKAMPF, Berlin, Prussia.
 JOHN HAVILAND, Prison Architect, Philadelphia.
 GEORGE SUMNER, Esq., Boston.

N. B.—The Physician or Warden, or Keeper of each Penitentiary are, *ex officio*, Corresponding members of the Executive Committee.

* Deceased.

HONORARY LIFE MEMBERS of the EXECUTIVE COMMITTEE

BY PAYMENT OF ONE HUNDRED DOLLARS OR UPWARDS.

City of New-York.

BOORMAN, JAMES
BROWN, JAMES
CROSEY, WM. B.
DELANO, JAS. WARREN
LENOX, JAMES

MINTURN, ROBERT B.
PARKER, CHARLES
WALKER, JOSEPH
WOOD, WILLIAM
WOOLSEY, E. J.

Troy, N. Y.

REV. WM. ANDREWS,

REV. DR. BEEMAN.

Poughkeepsie, N. Y.

REV. H. G. LUDLOW.

Hudson, N. Y.

REV. MR. DARLING.

Merriden, Conn.

REV. G. W. PERKINS.

1854

LIFE MEMBERS

Of the Association, by payment of twenty-five dollars and upwards.

Alsop, J. W.
Aspinwall, W. H.
Astor, Wm. B.
Barelay, Anthony
Bard, John
Barron, Thomas
Bartlett, Edwin
Beebee, S. J.
B——, J. Jas.
Belmont, August
Bennett, Jas. G.
Benzon, E. L.
Blanco, B.
Brevoort, H.
Brevoort, J. Carson
Bridge, L. K.
Bridge, John
Bronson, Mrs. Arthur
Brooks, Sidney
Broom, S.
Brown, Stewart
Brown, Jas.
Bruce, Geo.
Bushnell, O.
Butler, B. F.
Bliss, Ira,
Chauncey, Henry
Collins, E. K.
Corse, Israel
Curtiss, Cyrus
Daly, Chas. P.

Derham, H. C.
Douglass, Wm. H.
Douglass, George
Duer, John
Edmonds, J. W.
Engs, P. W.
Field, R. H.
Field, H. W.
Fish, Hamilton
Foster, Jr., James
Freeland, J.
Furniss, W. P.
Garner, F.
Gilson, John
Graham, J. B.
Gregory, D. S.
Green, J. C.
Grinnell, Henry
Grosvenor, Jasper
Halstead, Wm. H.
Hedges, Timothy
Herrick, J. K.
Herring, S. C.
Horn, Jas.
Howland, G. G.
Howland, S. S.,
Howland, Edgar W.
Hunt, Thos.
Hussey, George F.
Irwing, Richard
Jay, John

Johnson, Alex. S.	Ray, Robert
Johnston, John	Rhineland, Wm. C.
Jones, James J.	Robert, C. R.
Jones, Walter R.	Roosevelt, C. V. S.
Kirkland, S.	Ruggles, S. B.
Langdon, Mrs.	Russell, Israel
Leeds, Sam'l	Sampson, Joseph
Lenox, James	Sands, David
Leyray, Jacob	Schermerhorn, Peter
Leray, Jacob R.	Selden, Dudley
Leupp, C. M.	Sherman, Austin
Lord, Rufus L.	Spencer, Wm. A.
Lorillard, Jr., Peter	Sturges, Jonathan
Low, Cornelius	Styrvent, Gerard
Low, Nicholas	Talbot, Chas. N.
Mann, A.	Titus, Jas. H.
Mathews, J.	Townsend, S. P.
McBride, Jas.	Tremble, George
McCunn, Wm. T.	Van Nest, Abraham
Morgan, E. D.	Vannostrand, James
Murray, Lindley	Van Rensselaer, P. S.
Morgan, M.	Van Rensselaer, P. S., Jr.
Nevins, R. H.	Walker, W.
Newell, Wm.	Wards, A.
Niblo, William	Wetmore, P. M.
Norrie, A.	White, Ely
O'Connor, C.	Whitney, Wm. E.
Olyphant, D. W. C.	Winthrop, B. R.
Outhout, Wm.	Wilderming, Wm. E.
Palmer, John J.	Willets, Samuel
Parmly, E.	Wolfe, John D.
Pell, F.	Woolsey, E. J.
Phalon, J.	

Salisbury, Herkimer county, New-York.—Burrell, D.

Brooklyn, Long Island.—Packer, Wm. S.

Poughkeepsie, New-York.—Vassar, M.

Waterbury, Connecticut.

Rev. J. C. Ark. Rev. Mr. Elliott.

Merriden, Connecticut.—Rev. Mr. Searles.

SUBSCRIPTIONS AND DONATIONS,

From January 1st, 1854, to December 31st, 1854.

JANUARY.	
George Douglass,.....	\$25 00
Daniel Mersereau,.....	10 00
Edward J. Woolsey,.....	50 00
Marcena Munson,.....	10 00
J. Dessoir,.....	5 00
R. H.....	1 00
Reuben Lovjoy,.....	5 00
C. Linherr,.....	1 00
C. Marvedei,.....	50
J. Walker,.....	1 00
Cash, (C. B.).....	1 00
J. R. Jaffray & Sons,.....	25 00
Lottimer, Large, Ellery & Co.,.....	10 00
Pierson & Co.,.....	5 00
L. Delmonico,.....	5 00
James Cruikshank,.....	5 00
W. W. S.,.....	5 00
Joseph Fisher,.....	5 00
Edwin Hoyt,.....	5 00
W. G. L.,.....	1 00
E. Cazet,.....	5 00
Henry Leger,.....	5 00
Salom'n Kohnstamm,.....	5 00
Mecker, Herbert & Perkins,.....	5 00
Charles Ely,.....	5 00
Cash, (Otto),.....	2 00
Gilbert C. Ward,.....	5 00
Lewis & Son,.....	5 00
A. H. & Co.,.....	5 00
Smith, Day & Eddy,.....	5 00
A friend,.....	50
Sundry items of cash, \$5, \$3, \$1, \$3, \$1, \$1, \$1,.....	15 00

\$238 00

FEBRUARY.

A. A. Alvord,.....	\$10 00
Libby & Whitney,.....	5 00
Hanford & Co.,.....	5 00
C. S. Francis,.....	5 00
Bourry, d'Ivernois & Co.,.....	10 00
John G. Wyman,.....	5 00
Ball, Black & Co.,.....	5 00
J. Van Buren,.....	5 00
Rushton, Clark & Co.,.....	5 00
F. Cottenet & Atherton,.....	10 00
James G. Dale,.....	5 00
G. G. Haydock,.....	5 00
Hendricks Brothers,.....	10 00
Josiah Lane,.....	5 00
F. Victor & Achelis,.....	5 00
Wilmerding, Houget & Humbert,.....	5 00
Spies, Christ & Co.,.....	5 00
C. J. & F. W. Cogill,.....	5 00
Oelrichs & Co.,.....	5 00
James Owen,.....	12 00
A. Iselin & Co.,.....	10 00
Richard Haydock,.....	5 00
Escher & Rüsich,.....	5 00
Passavant & Co.,.....	3 00
Alfred Barratt,.....	5 00
John Slade,.....	3 00
Solomon & Hart,.....	5 00
L. H. Meyer,.....	5 00
H. W. T. Mali,.....	5 00
Decoppet & Co.,.....	5 00
Mitchell & Pott,.....	5 00
George E. Stone,.....	5 00
Cash, (Curtis,).....	1 00
H. C. De Rham,.....	5 00
E. C. Litchfield,.....	5 00
F. S. Littlejohn,.....	5 00

Theodore Perry,.....	\$5 00
H. Hennequin & Co.,.....	5 00
C. F. Dambmann & Co.,.....	5 00
J. W. Schulten & Hurd,.....	5 00
Bush & Munkittrick,.....	5 00
Sherman & Collins,.....	10 00
Moller & Riera,.....	10 00
Theodore W. Riley,.....	5 00
R. L. S.,.....	3 00
Walsh & Coulter,.....	10 00
E. H. G.,.....	10 00
E. & R. R. Graves,.....	10 00
S. B. S.,.....	5 00
J. S. Schieffelin,.....	5 00
George D. Morgan,.....	5 00
Stewart Brown,.....	10 00
E. D. Morgan,.....	10 00
S. B. Collins,.....	5 00
Powell & Co.,.....	5 00
Lobach & Schepeler,.....	5 00
Loeschijk, Wesendonck & Co.,.....	5 00
Lehmaier Brothers,.....	5 00
Grossman Brothers,.....	5 00
W. Bradford,.....	5 00
J. J. Merian,.....	5 00
Hubbell & Pattee,.....	5 00
Lampport, Blakeman & Law,.....	5 00
B. Sherman,.....	5 00
Paton & Co.,.....	5 00
Alfred Edwards,.....	5 00
Peterson & Humphrey,.....	5 00
James Neweler & Sons,.....	5 00
Cash, (DeForest,).....	1 00
Cash, (R. W. T.,).....	1 00
Cash, \$3, \$1,.....	4 00

\$407 00

MARCH.

S. J. Beebee,	\$10 00
Edward Bridge,	5 00
J. S. Burnet & Co.,	5 00
John R. Sears,	3 00
John Thompson,	5 00
James Ackerman,	5 00
J. & A. Petrie & Co.,	10 00
S. A. & Co.,	5 00
Cary & Co.,	20 00
H. Coer,	5 00
Wm. Ruhl,	3 00
M. Huper,	1 00
Rockwell, Winston & Co.,	2 00
William Douglass,	25 00
James Boorman,	20 00
Richard Irvin,	10 00
James Warren,	3 00
F. Brown,	3 00
Cyrus W. Field,	5 00
Patteson Adams & Co.,	10 00
Harper & Co.,	5 00
David Culver,	1 00
B. Blanco,	25 00
R. Palanca,	5 00
August Belmont,	10 00
Joseph W. Alsop,	10 00
J. C. Zimmerman,	5 00
Carlile & Zimmerman,	5 00
J. M. Emerson & Co.,	5 00
William Selpho,	2 00
Jacob Badger,	10 00
William Kemble,	10 00
William Borden,	5 00
B. Easterson,	2 00
Mr. Stoughton,	5 00
Cash, \$5, \$1,	6 00

\$266 00

APRIL.

Ubsdell, Piersons & Co.,	\$5 00
A. Mumve & Co.,	5 00
G. Young,	5 00
Frederick Cook,	5 00
Thomas Colton,	5 00
James Brown,	25 00
Mr. Richards,	5 00
Mills & Croumelin,	5 00
O. Bushnell,	5 00
M. B. Bryant,	5 00
A. Woodruff,	5 00
R. Lovejoy,	5 00
Abram V. Johnson,	5 00
George Bulpin,	5 00
S. L. L.,	3 00
Schlesinger & Andresen,	5 00
P. H. Hodges,	5 00
Hearn Brothers,	3 00
Arnold, Constable & Co.,	5 00
B. R. McIlvaine,	5 00
Charles O. Conor,	5 00
Tappan & Co.,	5 00
W. Y. S.,	2 00
P. J. Stryker,	2 00
Bell & Ransom,	5 00
J. M. Beebee, Morgan & Co.,	5 00
Andrew Eggleston,	1 00
P. S. Van Rensselaer,	25 00
Lewis M. Rutherford,	10 00
Gerard Stuyvesant,	5 00
Cash in several items, \$1, \$1, \$1, \$2, \$2, \$1, \$3, \$1, ..	12 00

\$193 00

MAY.

L. P. Hawes,	\$10 00
George Brodie,	5 00
Thomas Prosper & Son,	3 00
Moran Brothers,	10 00

Mariet Robert,.....	\$5 00
S. Kohnstaum,.....	5 00

\$38 00

AUGUST.

John Hecker,.....	\$20 00
B. Tatham,.....	20 00
Cash,.....	20 00
W. F. Mott,.....	10 00
W. Wood,.....	5 00
James H. Titus,.....	20 00
John Stanton Gould,.....	5 00

\$100 00

OCTOBER.

Naylor & Co.,.....	\$25 00
Robert Ray,.....	20 00
Goodhue & Co.,.....	20 00
Olyphant & Sons,.....	20 00
Robert B. Minturn,.....	20 00
Richard Irvin,.....	10 00
W. H. Halsey,.....	5 00
George T. Trimble,.....	20 00
James Brown,.....	25 00
W. Oothout,.....	10 00
Shepherd Knapp,.....	5 00

\$180 00

NOVEMBER.

Stephen Cutter,.....	20 00
Eleazer Parinly,.....	25 00
Anthony Barclay (British Consul),.....	10 00
F. A. Schumacher (Liebec Consul),.....	5 00
J. W. Schmidt (Oldenburgh & Switzerland Consul),.....	5 00
C. F. Loosey (Christian Consul),.....	5 00
F. Karch (Hamburg Consul),.....	5 00
B. F. Butter,.....	10 00
Samuel Willetts,.....	50 00

James Lenox,.....	\$100 00
A Friend,.....	5 00
John Gihon,.....	10 00
L. F. Defiganiere,.....	5 00
A. Noirie,.....	10 00
Beebee & Co.,.....	25 00
Joseph Fowler,.....	3 00

\$278 00

DECEMBER.

W. Niblo,.....	\$4 00
W. Kemble,.....	2 50
R. H. Winslow,.....	25 00
C. W. Elliott,.....	10 00
James Owen,.....	10 00
Cash,.....	25
J. L. S.,.....	5 00
S. A. S.,.....	5 00
C. S. Francis,.....	5 00
John Allen,.....	5 00
Hendrick Brothers,.....	5 00
George Bruce,.....	25 00

\$101 75

Total donations for 1854,..... \$1,802 75

TENTH ANNUAL REPORT

Of the Executive Committee of the Prison Association of
New-York.

Ten years have now elapsed since the organization of the Prison Association.

Previous to that event, what had been done within our State for the reclamation and care of those who became amenable to the penalty of the law, was the work of benevolent individuals, acting with especial reference to particular cases, providentially brought to their notice. There was no organized systematic method of reaching the convict with elevating remedial influences. The duty of society was held to be discharged when the culprit was incarcerated, and subjected to the intra-mural discipline prescribed by the statute. His term of confinement ended, he owed society nothing, and society owed him no more. His exit from prison was in the nature of a mutual release.

And so it was also in relation to the forms of law, and its administrators. Its processes were held to be about perfect, and its administrators not far from immaculate. How many innocent men were thus consigned to a theoretically just punishment, the day that reveals all secrets alone will disclose.

For a few years previous to 1814, however, there was a gradual awakening of observant and thoughtful men to the possible existence of imperfections both in the legal machine and its engineers. As is not unusual in other great moral reforms, it was soon found that different minds were at work on the same subject, unknown to each other, and in different spheres of observation. Whilst gentlemen, officially connected with our State prisons, were forced by their position itself to inquire what could be done to screen

the unfortunate and the guiltless from undeserved incarceration; and to save the discharged prisoner from relapsing into crime, the humble Sabbath school teachers who visited our penitentiaries were as anxiously asking the same questions, especially with reference to those whom they believed to be penitent. The formation of the Prison Association was the providential solution of the difficulty with them both.

The chief object primarily contemplated by its founders was encouragement and assistance to the convict on his return to the ordinary associations of life. They wisely thought—differing in this from the crude and cruel sentiment that too generally prevailed in the community—that the convict was a man still, and, like other men, reclaimable to virtue by right appeals to his moral sense, and by a proper manifestation of interest in his personal welfare. And although the constitution of the Association, as originally planned, provided likewise for attention to the general subjects of detention and prison discipline, yet the chief action of the executive committee for some time was with reference to discharged convicts. But the liberal character of the charter, passed in 1846, led the committee to enlarge the sphere of their labors. More attention was paid to the circumstances of detained persons, with a view to their protection against the arts of malicious prosecutors, to the assertion of their rights whilst in confinement, and to impartial and deliberate trial. At the same time the committee entered vigorously on the work of examining the State and county prisons.

Indeed, the very first examination of Sing Sing prison was so vigorous and thorough, that it has proved to be, thus far, our last. This inspection was made in 1846, and our report of that year startled the prison authorities to the exceeding inconvenience of the existence of a supervisory power, whose only concern was to see how and what things were done by them, and to tell Legislature and the people the precise truth.

In 1847, on applying to the Warden of Sing Sing prison for admission to the prison, and for opportunity to make our examinations, pursuant to the requisitions of our charter, we were

peremptorily refused. So alarmed were the Inspectors at the possibility of the Association obtaining access to the arcana of the prison house, that they attempted, at the extra session of the Legislature in 1847, to obtain a modification of our charter, subjecting us to the direction of the Inspectors in our examinations. The bill, as prepared by them, even passed the Senate, but it was met in the Assembly by such an exposé of the management of the Inspectors, as served effectually to arrest it. Not content with this defeat, the Inspectors, in the report to the Legislature for 1848, indulged in language respecting the members of the executive committee, of a character evidently showing that personal feeling and interested motive entered largely into their repugnance to our investigations. In our report, made to the Assembly March, 1851, (Ass. Doc. 120,) we reviewed this whole controversy; and again, in 1852, (Ass. Doc. 123,) we were compelled to refute anew the unjustifiable attacks of the Inspectors, repeated in their report for 1851, (Senate Doc. 35, for 1852.)

In our Report for 1851 (Assembly Doc. 120) we remarked: "Nor will the Legislature fail to observe what is liable to be, if not what has been, the ease with which the present system may be perverted to the perpetration and concealment of evils. It requires but an understanding between the Inspectors and the wardens, with the usual external influences, for one to pass into the office of the other; and by this interchange of positions and opportunities, the frauds or cruelties of the subordinates are, from sympathy or interest, connived at; the penal institutions of the State, with their inmates unfortunately numbered by thousands, and their exchequer swelling up its annual amount of receipts and disbursements to at least a half million of dollars, may become the sport of unprincipled and unfeeling men. We do not say that such is already the case; but we do aver that without a constant, fearless and intelligent oversight of all concerned in the administration of prison affairs, such evils will be likely to occur; and further, we have reason to fear that an investigation into the secret history of Sing Sing prison for the last three years would demonstrate the correctness of our surmises as to their existence, to a greater or less extent, for this entire period."

The Report of the Commissioners appointed to investigate the pecuniary affairs of the several State prisons, transmitted to the present Legislature, January 29, 1855 (Assembly Doc. No. 60), shows incontrovertibly, not only the correctness of these surmises, but the true reasons—only in part, however—for the barring of the doors against us. Had the Commissioners been empowered to investigate the discipline of the prison, as well as their money concerns, we cannot doubt that equally cogent reasons would have been found for excluding the Association from the performance of its duties.

We should not again have brought this controversy to the notice of the Legislature, but for the extraordinary protest which we find recorded on pages 233 and 234 of the Report of the Commissioners above alluded to, made to the present Legislature (Assembly Doc. No. 60, for 1855). Startling as are the exposures of fraud made by the Commissioners, even more grave and worthy of the notice of the Legislature are the assumptions of this protest of the Inspectors.

This protest—for such it is, most truly—is called "Order of Inspectors relative to Commissioners," and was adopted at a meeting of the Inspectors at Clinton prison, April 25, 1854—present, Messrs. Storms, Kirkpatrick and Clark, *Mr. Kirkpatrick voting in the negative*. They commence with a recital of the act appointing the Commissioners, the clause in the constitution providing for the election of Inspectors and defining their duties, followed by an extract from the general act of 1847 relative to prisons. They then venture to pronounce the act of the Legislature "unnecessary, and in some of its provisions calculated to take from the Inspectors the powers, authority and duties conferred upon them by the constitution and laws." Equally noticeable is their jealous vigilance as to "the possibility of the Commissioners being composed of such persons as might, in performing their duties under the act, claim or assume powers, duties and rights by the constitution and the laws of 1847 only conferred upon the Inspectors of State prisons." It would almost seem that this fear of the intrusion of improper examiners into the prisons is hereditary in the Board of Inspectors. In 1847, the Inspectors, in their

annual report, endeavored to arouse the Legislature to the necessity of a curtailment of the powers of the Association, by suggesting that discharged convicts might be received into its membership, and that lawyers might seek a connection with it to enable them to drive a profitable business in pardons! The same fear now seems to exist in regard to special legislative commissions.

The protest proceeds, however, to say, that to enable the Inspectors to preserve "the respect due to them as officers possessing superior powers, and clothed with superior authority," *they order* that the Commissioners be allowed to examine the books and papers, and "to converse with the convicts in presence of the agent and warden, principal keeper or guard."

So the Commissioners were admitted into the prison, not by virtue of their appointment under the act of the Legislature, but by the special grace of the Inspectors.

The positions assumed by the Inspectors are deserving of the most serious attention. If these positions are correct, they have absolute and entire control of the prisons, with little or no responsibility to any one. To whom, indeed, could they be made amenable? Before the judicial authority, they could only be arraigned on the allegation of crimes, the proof of which is in their own possession. If investigation be instituted by the executive power of the State on the charge of malfeasance in office, the evidence of that malfeasance they may not suffer to come to the light. The Prison Association, the chartered standing Agent of the State, one chief object of whose corporate existence is the investigation of the condition and management of the prisons, they turn from their doors. A commission instituted by special act of the Legislature they admit to the performance of its duties, first carefully sealing the lips of witnesses. And their justification for this defiant attitude against both the Legislative and Executive power of the Commonwealth they profess to find in the 4th section of the 5th article of the Constitution, which provides that there shall be chosen by the people three Inspectors of Prisons, who shall have "the charge and superintendence of the Prisons of the State." And this is their only and all their justification.

This Association endeavored to direct the attention both of the public and the constituted authorities to the assumptions of the Inspectors, when such attention might have averted the peculations and frauds which are now blazoned forth to the world by the Legislature itself. But our representations, arguments and remonstrances, were alike unheeded; and as we continued them in our reports from year to year, the only evidence that they were noticed was, perchance, an editorial paragraph to the effect that "the Association does not seem to be in favor of the Inspectors." It is in no boastful spirit that we point to the Report of the Special Commission appointed last year, as proof past gain-saying of the correctness of the positions assumed by us. If the effect of that Report, and of this reference to it, be to direct the attention of the Legislature and of the people to the institution of proper safeguards against similar shameful doings hereafter, our end will have been attained.

In this connection we must invite the attention of the Legislature particularly to that part of the protest of the Inspectors which insists on their intercourse with the prisoners being under the observation of one of the officers; even empowering the officer to forbid any conversation or intercourse with the convicts, which, according to his judgment, might interfere with the established discipline. In other words, if a convict were to complain of his fare or treatment, he would be at once silenced; and thus, the very suggestions which might lead to a course of inquiry, exposing cruelty and neglect, would be suppressed. On this subject, we quote from our Sixth Report (Assembly Doc. No. 120, for 1851):—"Since the prisons passed under the control of the Board of Inspectors, elected under the provisions of the State Constitution of 1846, our demands for a full investigation of Sing Sing Prison have been steadily refused. The offer has, indeed, been made to exhibit the books, and to allow us to converse with the prisoners in the presence of a keeper. Apart from the fact that this restriction is contrary to the statute, it would effectually thwart the whole objects of our investigation. The prisoner dare not disclose all his knowledge and tell all his grievances before a keeper. The very cruelty and oppression of which he might

have been the victim, would visit him with a vengeful weight for his disclosures. In his keeper's presence, therefore, his mouth is sealed; or rather, by the hope of favors and indulgences, he is tempted to conceal or gloss over unpalatable truth.

This testimony of prisoners is important in itself; but when corroborated by numerous and independent examinations, and there has been no opportunity for collusion, as the authorities well know, it may be received as substantially true. Under such circumstances, men, however depraved, cannot agree in the relation of a fact, unless it have truth for its foundation. But it is, perhaps, even more important, as furnishing a clue for the examination of keepers themselves, and of others who may have been witnesses or participators in the alleged occurrences.

"How else can we discover abuses? Fallible humanity does not, except under the goadings of conscience, the promptings of interest, the compulsion of power, or the recklessness of an utterly depraved heart, tell of its wrong doings. An officer, therefore, cannot be expected voluntarily to bear witness against himself. Nor dare he bear witness against his associates in office."

In the same report is a letter from Judge Edmonds, in which, alluding to the same subject, he says:

"One of the most valuable features attending the inspections by the Association, and it is one which *never* attends the inspection of the public officers, is the personal examination of each prisoner, which the Association always exacted of its committees of examination. It is exceedingly difficult to convey an adequate idea of the irksomeness and pain of executing this task, in such a manner as not to interfere with the discipline or the labor of the prisons. I have myself stood, day after day, for hours at a time, at the doors of the cells of the prisoners, listening to the details of human depravity and human suffering, until the sickness of the heart was even more intolerable than the weariness of the body. Still it was a duty which our experience told us ought not to be omitted, and which our Association rigidly exacted from those upon whom they devolved the duty of examination.

We, of course, were not unaware of the danger which attended these examinations. The fear of the officers of the prisons often sealed the mouths of the prisoners—and it was not until we had gained their confidence that they would speak freely to us; and, when they did, we were also aware that the communications we received came from men too depraved to estimate the obligations of truth, and sometimes from men who were full of hatred towards those whose duty it was to restrain their evil passions and vicious conduct within due bounds. We, therefore, knew how much allowance to make, and what credit to give their statements.

We found a universal law prevailing among the officers of the prisons, that the word of a prisoner must not be taken for anything. Yet we found those officers taking it every day, and in all the affairs of the prisons; we found that the law had made their testimony good, in certain cases, even when in prison; we found the Governor often pardoning them, that they might be witnesses; and we found that from their statements we often obtained clues to abuses, which enabled us to trace them out and ascertain their existence by irrefragable testimony.

We found more. We found that it was absolutely necessary that we should obtain their statements, because to the world at large all within the walls was darkness and secrecy, and from that source no testimony could be obtained, and from the officers we could not easily procure the knowledge of their own misconduct."

It were easy to establish these positions by numerous facts brought to the knowledge of the Association, both directly and indirectly. But the correctness of our positions must be so manifest to every unprejudiced mind that we deem it unnecessary.

In this connection, it is proper to notice one other pretence heretofore put forth by the Inspectors, in justification of their refusal of our examinations. It is that our charter was granted before the adoption of the new Constitution and the enactment of the general prison act of 1847. Considering that there is nothing either in the Constitution or act, invalidating or superceding the

provisions of our charter, it might seem unnecessary again to legislate on the subject. It may be, however, that an act declaratory of the present binding force of these provisions, would at least facilitate a settlement of the question whether the Legislature have any rights left in the matter of inspecting the prisons of the State, their government, discipline and finances. If, after such an act, the Inspectors should continue, contumaciously, to forbid all examinations save their own, the way would then be clear for a judicial determination of the question; and if it were then found that the language of the Constitution is so incautiously framed as to warrant the construction of the Inspectors, every feeling of humanity, as well as every dictate of sound policy, would demand an immediate appeal to the people for an amendment that would restore to the law making power its rightful control over the penal institutions of the State.

It is a source of gratification to the Association that the committee of the Legislature, appointed in 1851, in their report made to the Legislature of 1852, (Assembly Doc. No. 20,) on "the fiscal affairs, general management and discipline of the different State Prisons," after full and impartial inquiries as to the influence of the Association, and the labor performed by its members, felt themselves called on to say: "Much good might have been done if the act of the Legislature, passed May 9, 1846, had not been practically nullified by the Inspectors. That law provided for an annual inspection of the State Prisons, under the directions of the Chancellor, or a Judge of the Supreme Court, or a Circuit Judge, by members of the 'Prison Association' thereby incorporated, and directed them to '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.'

That law was for a while faithfully executed, and several reports were made to the Legislature, replete with valuable information, *which had never before been obtained, in respect to the workings of our penitentiary system.* The inspections were made by persons of high standing, over whom neither contractors nor

officers could exert any influence, and a most salutary influence was produced by the constant apprehension of an inspection, which no acts of theirs could color or affect. Facts of much importance thus found their way to the ear of the Legislature, which were not found in the reports of the Inspectors. But in 1848 the Inspectors adopted a regulation which allowed those inspections only upon conditions which would render them utterly valueless, namely, that they should be conducted only in the presence of some officer of the prisons, to be selected by the Inspectors, and thus closing the door to the reception of information which could not be asked or expected, under such penalties as the Inspectors might inflict on those who gave it."

• So convinced, indeed, were the committee of the importance of a renewal of our inspections, that they subsequently add: "Perhaps if the Legislature should peremptorily require these inspections to be made, and provide for the actual expense of making them, some, if not all the evils alluded to"—to wit, those which had been enumerated in their report—"would be remedied. It is quite certain that if they were continued much valuable information might be obtained, which otherwise would be lost."

This last suggestion by a committee of the members of a former Legislature is eminently proper. Besides the inspection of prisons, the Association are at work indefatigably in the endeavor to prevent and correct the manifold abuses which occur almost daily in the administration of criminal justice in the cities of New-York and Brooklyn—embracing, it will be remembered, about one-fourth part of the population of the State—and in the relief of convicts discharged not only from the city, but the State prisons.

These departments of our labors absorb all the funds we can with diligence collect from the benevolent amongst our fellow citizens. And, indeed, the executive committee is almost constantly straightened in this work by the want of means. But for this, our usefulness could be very greatly extended. We are compelled, therefore, to restrict ourselves to such work as we can accomplish without incurring debt—and reproach. Having already

appealed to the present Legislature for aid, we need not here renew the statements which are set forth in our memorial.

The expense of all the inspections, both of State and county prisons, made since the organization of the Association, with but few exceptions, have been borne by the members of the executive committee personally. They have given not only their time, but their money, to this work; and they have done it willingly. Nor do we speak of it boastingly, but simply to show to the Legislature the justice of the request we now respectfully make, for the payment of the actual expenses incurred in our inspections of prisons. And we should, indeed, be greatly pleased were the Legislature, with this appropriation, to "require peremptorily"—to use the language of the legislative committee of 1851—that during the present year the Association inspect and examine all the prisons, both local and general, of the State, and report their condition and management to the next Legislature.

We do not propose in this report remarking on the general subject of prison discipline. Not only in our last report (for 1854), but in almost all our former reports, we have made this the subject of extended discussion, with reference both to houses of detention and penitentiaries proper.

These endeavors to draw attention to this subject, we fear, have accomplished but little in our own State, although we have the satisfaction of knowing that in other States and countries they have not been unappreciated.

It is a deep-rooted conviction with the members of our executive committee, that the advanced state of the science of penology, the experiments and successes of other governments in the treatment of criminals, the increasing light and intelligence amongst our own people, the duty we owe to each other as members of a self-governing commonwealth, our obligations to the frail and the fallen of our own household—all demand a thorough and systematic examination of all our prisons, prison systems and criminal laws, with a view to such changes as will bring us abreast with the times. This could be done by the Prison Association, and it

would be a "labor of love" to its members. But if the Legislature should conceive this to be a work of too much importance to be entrusted to individuals not of its own special selection, then we would suggest the appointment of a commission, to consist of three or five gentlemen, chosen with particular regard to their qualifications for the work, whose duty it should be made thoroughly to examine all our prisons and prison systems, compare them with the prisons and systems of other States and countries, point out the modifications which seem to be required in order to ensure us the full benefit of all improvements made elsewhere, estimate the cost of these changes, prepare plans for the rearrangement of our present buildings or the erection of new, as the case may require, and report to a subsequent Legislature, when they shall be able to do so wisely and beneficially. Such a work would be an enduring honor to the State.

CRIME IN THE CITY OF NEW-YORK.

We copy, from our report of last year, a table showing the number of crimes against property in New-York city during the years 1851, 1852 and 1853, compiled from the semi-annual reports of the chief of police, and to this we now add the returns for 1854.

We also give the number of arrests during the same year for misdemeanors, arising generally from the unrestrained traffic in intoxicating drinks.

The very great increase in crime, both against person and property, and the reported diminution of the number of places where spirituous liquors were sold, may at first excite surprise. This is a wide divergence from the ordinary laws of crime, as deducible from similar official statistics for other periods and places, it is well, therefore, to inquire into its cause.

It must be borne in mind that the laws of statistics presuppose the element of administrative efficiency to be uniform and positive; if this be fickle and variable, but little reliance can be placed on the deductions from the figures. With a lax police,

therefore, there might be an actual increase of crime, whilst the number of commitments, and consequently of convictions, would lead a casual observer to infer a decrease, but with a growing activity and faithfulness in the police there would naturally be, especially during its transition state from laxity to efficiency, an increase in the commitments, and this too, even with a reduction in the number of liquor sellers. This has undoubtedly been the case during the last year or two in New-York. During this period there was a marked and continuing improvement in the police, which will satisfactorily account for the increased number of arrests. The returns relative to liquor licenses bear testimony in relation to another branch of the city government. The diminution in their number speaks creditably for the co operation between the aldermen and councilmen in some of the wards, who refused to sign altogether, whilst the great increase in the number of licensed shops reflects unfavorably on the gentleman then filling the responsible position of chief magistrate of the city, and who seldom refused his signature to applicants for licenses.

The arrests for offences of all descriptions in the city of New-York were, in the year 1851,.....36,224.

1852,.....36,258.

1853,.....39,786.

1854,.....52,710.

The arrests for intoxication and misdemeanors generally arising from intemperance, during the same years, were as follows:

	1851.	1852.	1853.	1854.
Assault and battery,.....	4,877	4,984	3,127	6,292
Disorderly conduct,.....	4,902	4,592	4,979	5,815
Intoxication,.....	7,658	8,754	10,850	12,908
Intoxication and disorderly conduct,.....	5,858	5,972	7,197	7,177
Vagrancy,.....	3,462	3,014	3,342	4,358
	<u>26,767</u>	<u>27,316</u>	<u>29,495</u>	<u>36,550</u>

Places where intoxicating liquors were sold.

	Dec. 31, 1853.	Dec. 31, 1854.
In licensed shops,.....	6,831	5,096
Unlicensed do.,.....	244	1,561
	<u>7,075</u>	<u>6,657</u>
Kept open on Sunday,.....	5,333	3,260

In this connection we quote the following paragraphs from the report of Mr. John Gray, Warden of the City prison, to the Board of Governors of the Alms House department, dated December 31, 1854:

"It will be seen that there has been received in the Prisons 30,691 persons; being an increase of 2,160 over the previous year, and of the whole number, I am grieved to state, 25,371 were committed for intemperance.

"I should be doing great injustice, and greatly mislead the public, if I did not explain the large number of commitments to the prison for intoxication. It is not unusual to have, during the year, the same person committed eight or ten times for that offence, and in some instances as often as twice in one week, and each case being a distinct commitment, swells the number to that above stated. In this class are those laboring under temporary insanity and delirium tremens. These occurrences are frequent, and on their discharge from prison on temporary commitments, but few days elapse before they are returned in the same condition as on their previous commitment."

The comments of the Warden, whilst honestly designed to prevent the public from being misled by the very great number, 25,371, committed for intemperance during the year, may, without a word of caution, lead to erroneous inferences in the opposite direction.

The expense to the city of these commitments is just as great as though each unit of the number represented an individual; tax-payers, therefore, need not feel themselves relieved

from one cent of their bills by the consideration that some of these miserable victims of an unholy traffic are "committed eight or ten times for the offence" within the year.

But allowing even 5,000 for the extra commitments of the same individuals—and this is probably a large allowance—there would still remain *twenty thousand* human beings, each endowed with the highest capacities for good or ill, enjoyment or suffering, reduced to the extreme of degradation by the legalized temptations of society.

COMPARATIVE TABLE.

Crimes against property in New-York City.

YEARS.	Arson.	Attempt to steal.	Burglary.	Carpetive larceny.	Housebreaking.	Forgery.	Fraud.	Gambling.	Grand larceny.	Obtaining goods under false pretences.	Petit larceny.	Receiving counterfeit money.	Receiving first degree.	Receiving stolen goods.	Pick pockets.	Totals.
1851,.....	12	115	126	290	19,374	44	35,38	67	709	98	3,325	136	66	50	67	5,156
1852,.....	22	319	55	146	3,383	39	28,47	156	742	143	3,293	147	85	67	135	5,467
1853,.....	25	236	33	211	15,70	15	57,63	77	690	43	3,216	136	85	75	261	5,262
1854,.....	40	240	42	274	18,76	63	113,63	161	1,113	188	6,630	212	77	187	375	9,866

STATISTICS OF THE CITY PRISONS, OR HOUSES OF DETENTION.

From the Report December 31, 1854, of John Gray, Warden, to the Board of Governors of the Alms House Department.

TABLE A.

First District Prison.	White Males.	White Females.	Black Males.	Black Females.	Total.
Remaining in prison Jan. 1st.,...	129	48	9	5	191
Received during the year,.....	13,489	7,330	520	290	21,629
	13,618	7,378	529	295	21,820
Discharged during the year,...	11,203	5,252	426	237	17,118
Pardoned,.....		2			2
Eloped,.....	2				2
Executed,.....	1				1
Deceased,.....	17	3			20
Sent to Blackwell's Island,.....	2,017	2,059	78	52	4,206
do State Prison,.....	185	13	10	2	210
Remaining in prison Dec. 31,...	193	49	15	4	261
	13,618	7,379	529	295	21,820
In addition to the number received at the First District Prison, viz.,.....	13,489	7,330	520	290	21,629
There were also discharged from 2d District Prison,.....	3,348	1,710	123	88	5,269
Do. 3d District Prison,.....	2,992	647	689	65	3,793
Total number of commitments during the year,.....	19,829	9,687	732	443	30,691

TABLE B.

	Males.	Females.	Total.
No. received who were natives,.....	5,164	1,802	6,966
do foreigners,.....	15,397	8,328	23,725
	20,561	10,130	30,691
do married,.....	7,730	4,260	11,990
do single,.....	12,091	4,981	17,072
do widowed,.....	164	562	726
No. received whose social relations were unknown,.....	576	327	903
	20,561	10,130	30,691
do who were of temperate habits,.....	4,671	649	5,320
do who were of intemperate habits,.....	15,890	9,481	25,371
	20,561	10,130	30,691
do who could not read,.....	6,122	3,809	9,931
do who could read only,.....	631	2,674	3,305
do who could read and write,.....	11,544	3,286	14,830
do who were well educated,.....	1,649	44	1,693
do who were classically educated,.....	1		1
do whose education was unknown,.....	614	317	931
	20,561	10,130	30,691

TABLE C.

FOR WHAT OFFENCE COMMITTED.	Under 10 years of age.		Between 10 and 15.		Between 15 and 20.		Between 20 and 30.		Between 30 and 40.		Between 50 and 50.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Abandonment,							33	1	1	31	7	12
Arson,			1		1		7	1	12	3	2	
Abduction,			16		9	1	9	1	11	1	4	
Assault,			1		1		5	2	1	1	1	
do on the high seas,							5		2		1	
do with slung shot,							379	35	1,011	161	551	48
do and battery,	11						9					
Attempt to commit burglary,			1		1		9		1			
do grand larceny,			1		1		18		1		1	
do larceny,			1		1		1		1			
do rape,							4		1			
do robbery,			6		1		44	2	12	1	3	
Attempt to kill,			4		1		19		10		4	
Bastardy,			4		1		4		2			
Bigamy,			1				19		10		4	
Burglary,			1		61		74	3	8	1	1	
Conspiracy,							1		1			
Contempt of court,							1		1			
Counterfeiting coin,			1		1		1		2		1	

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[ASSEMBLY

No. 149.]

Desertion,			2		19		3					
Disobedient apprentices,			11		34		301	66	277	112	114	51
Disorderly conduct,	44	7	239		3		19		2		1	
Embriement,			2		3		14		5			
Escaped convicts,			3		4		47	9	31	4	20	3
Felony,			4		1		21	6	33	2	5	1
Forgery,			4		1		9		14		1	
Fraud,			1		8		4		3			
Fugitives from justice,							8		5			
Gambling,			1		26		215	89	209	35	77	9
Grand larceny,			1		1		3		2		2	
Illegal voting,							1		1			
Indecent exposure of person,			4		4		89	65	191	68	49	50
Insanity,			235		52		1,581	893	1,208	1,230	786	710
Intoxication,			2		6		2		9		2	1
Keeping disorderly house,			1		65		17	99	30	56	22	36
Larceny,			2		6		6		3			4
Malicious mischief,							2					
Malicious trespass,							2		1			
Marhem,							33	11	21	3	4	1
Misdemeanor,	4		16		4		12	2	18	1	8	
do on the high seas,												
Mutiny,			2		14		2		19			9
Obtaining goods by false pretences,							1		2			1
Perjury,			209		1		1		2			
Pettit larceny,	2	16	832		52		818	89	361	190	168	118

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TABLE C.—(CONTINUED.)

FOR WHAT OFFENCE COMMITTED.	Under 10 years of age, 10 and 15.		Between 15 and 20.		Between 20 and 30.		Between 30 and 40.		Between 40 and 50.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Rape,			4		7		2		2	
Receiving stolen goods,			1		4	1	6	3	3	
Revolt,					7		3		1	
Riot,			12		19		10		5	
Robbery,			16		20	3	10	1	8	
do of the United States mail,			1		5		1			
Seduction,			2		1					
Selling obscene books,					2					
Selling diseased meat,										
Sodomy,										
Soliciting emigrant passengers,					1		1			
Vagrancy,	61	149	41	62	74	476	346	1,087	257	618
Violation of corporation ordinances,			2		38		82		37	
do liquor laws,							4		2	
do lottery laws,					2		4		3	
With-out offence being specified,	3		26	2	49	30	45	28	47	16
Witnesses,			1	1	12	5	36	11	27	3
Total number of each age,	66	149	344	89	2,216	695	4,615	2,437	3,920	2,513
										2,004
										1,285

TABLE C.—(CONTINUED.)

FOR WHAT OFFENCE COMMITTED.	Between 50 and 60.		Between 60 and 70.		Over 70 years of age.		Total for each offense.
	Males.	Females.	Males.	Females.	Males.	Females.	
Abandonment,							
Arson,	8						79
Abduction,							22
Assault,							1
do on the high seas,							40
do with slung shot,							3
do and battery,	88	17	9				9
Attempt to commit burglary,							2,417
do grand larceny,							2
do larceny,							11
do rape,							26
do robbery,							2
Attempt to kill,							2
Bastardy,	1						66
Bigamy,							70
Burglary,	1						37
Burglary,	1						6
Conspiracy,							146
Contempt of court,							3
Contempt of court,							2
Counterfeiting coin,							1
							10

TABLE D.

OFFENCES.	2d District Prison.	3d District Prison.	Total.
Abandonment,	40	29	69
Arson,	8	8	8
Assault and battery,	349	433	782
Attempt to commit larceny,	9	173	182
Attempt to kill,	24	1	24
Bastardy,	19	13	37
Bigamy,	5	2	7
Burglary,	17	12	29
Carrying slung shot,	1	2	2
Cruelty to animals,	1	1	1
Disobedient apprentices,	1	9	9
Disorderly conduct,	1,348	761	2,009
Embezzlement,	4	14	18
Felony,	32	1	32
Forgery,	35	15	50
Gambling,	3	3	6
Grand larceny,	102	55	157
Intoxication,	725	965	1,690
Illegal voting,	4	4	4
Indecent exposure of person,	1	2	2
Insanity,	12	4	16
Interfering with officers,	1	2	2
Keeping disorderly house,	20	6	26
Larceny,	96	1	96
Libel,	1	2	3
Malicious mischief,	13	12	25
Mayhem,	1	1	1
Misdemeanors,	3	34	37
Murder,	2	2	2
Obtaining goods by false pretences,	14	16	30
Petit larceny,	247	459	706
Perjury,	2	3	5
Poisoning,	1	1	1
Rape,	3	5	8
Receiving stolen goods,	22	24	46
Riot,	33	15	48
Robbery,	10	12	22
Seduction,	5	1	5
Vagrancy,	1,960	567	2,527
Violation of corporation ordinances,	97	182	279
Violation of lottery laws,	2	2	2
Witnesses,	3	5	8
Total,	5,269	3,793	9,062

SOURCES OF CRIME.

In the fourth report of this Association, (Assembly Doc. No. 243, for 1849, pages 69 to 80,) we published a valuable communication from John Stanton Gould, of Columbia County, N. Y., on the "Sources of Crime."

In Appendix A, of this report, we have the gratification of presenting another elaborate and valuable essay, on the same topic, from Mr. Gould, and we invite especial attention to his carefully prepared statements and deductions.

MEMORIAL TO THE LEGISLATURE.

We present in Appendix B a copy of a memorial to the present Legislature, in which are embodied important facts relative to the working of our Association.

During the year 1854 the Association was instrumental in aiding upwards of 2,300 persons, in the following manner. (Only 27 of these persons were, to our knowledge, re-arrested or charged with crime.)

MONTHS.	Situations obtained for discharged convicts.	Work for persons from the Island.	Discharged on our recommendation.	Aided with money.	Aided with clothing.	Complaints examined.	Complaints abandoned.	Total.		
								Persons aided.	Persons examined.	
January,	3	10	4	4	13	13	13	13	13	
February,	2	2	7	4	17	17	17	17	17	
March,	3	6	16	6	27	27	27	27	27	
April,	4	7	19	13	43	43	43	43	43	
May,	5	13	26	17	71	71	71	71	71	
June,	4	11	37	20	111	111	111	111	111	
July,	7	17	34	29	171	171	171	171	171	
August,	5	13	41	24	142	142	142	142	142	
September,	6	11	33	22	124	124	124	124	124	
October,	4	16	29	27	177	177	177	177	177	
November,	5	17	36	29	183	183	183	183	183	
December,	4	8	27	34	161	161	161	161	161	
Totals,	52	131	309	230	1311	1344	170	170	170	
Total number of persons aided, in various ways, by the Association, during the year,									2,367	2,367

See also number enclosed

We shall not here dwell on the character of the workings of the Association with reference to individuals. The foregoing table comprehends what might indeed be spread over pages. We refer, however, to Appendix C for succinct narratives from our Diary of Detention Cases; to Appendix D for those of Discharged Convicts, and to Appendix E for letters from persons who have received the care and aid of the Association. To these last we might add greatly. Some of the letters show the marks of the tear which dropped whilst the pen was in the hand of the writer; others show that the writers had enjoyed all the advantages of superior education; others, again, that the language of refinement acquired in childhood and youth was not forgotten in the association of felons; some are from wives, whose affection has stood the rude trial of shame to their companions; and in some, the penitent speaks, as from a broken heart. The members of the Association are thus permitted to see the fruit of their labors.

EXAMINATION OF PRISONS.

The relations of the Association to the Inspectors, as already dwelt upon, have offered no encouragement even to our asking for admittance to the State prisons.

Committees of the Association have, however, visited the penitentiaries of New-York and Albany, the houses of detention in New-York city, and the jails of Suffolk, Westchester, Dutchess, Columbia, Greene, Jefferson, St. Lawrence, Franklin, and Clinton counties.

It may be proper to observe, that, as a general rule, the comments and remarks of the committees are given without revision or curtailment. The diversity of opinion which they may possibly exhibit will therefore but serve to show the independence with which our investigations are undertaken.

These reports are comprised in Appendix F.

The Treasurer's Report is also annexed, Appendix G, by which it will be seen that the executive committee have been compelled to continue their work with the small sum of \$3,090.62 (including \$1,423.37, the remainder of the legacy of Miss Dewitt, made

several years since), an amount altogether inadequate to the accomplishment of the good which we might do with larger means.

With a view to a more general diffusion amongst our fellow-citizens of a knowledge of the Association, its aims, its plans and its operations, we have commenced the publication of a monthly record of our labors. We cannot doubt, from the favor with which the first two numbers have been received by our friends, that it will not only increase the contributions to our treasury, but assist in drawing public attention to the important interests connected with prison government and discipline and the administration of criminal law, throughout the State.

Through the smiles of a benign Providence, as an Association we continue to this day; through evil report and good report, still laboring for the rescue of our fellow men from vice and crime, for the mitigation of the vengeance with which man is too apt to visit his fellow man under a sense of injury sustained, and for the establishment and impartial enforcement of laws that open a way to reformation, even whilst they inflict penalty. We ask still for the co-operation of the wise and humane, in full reliance on the blessing of our Heavenly Father, as we aim, in our humble sphere, to do the good for which we have the opportunity.

By order of the Executive Committee,

R. N. HAVENS,

President, Prison Association of New-York.

New-York, March 28, 1855.

1854

APPENDIX A.

Dr. JOHN D. RUSS,
Corresponding Sec'y N. Y. Prison Association.

MY DEAR FRIEND—In the year 1847 I submitted to the Association some remarks on the "sources of crime," accompanied by a number of tables illustrative of the subject, which were published in the fourth annual report.

The subject has since occupied much of my attention. Most of the views expressed in the paper referred to have been confirmed by seven years inquiry and observations, and, as might have been expected, many new ones have been developed. The object of the present paper is to submit these views, together with the evidence on which they are founded, to the judgment of the Association.

I still entertain the opinion formerly expressed, that our own, and kindred associations, should embrace the whole field of criminality in the circle of their labors, without restricting themselves solely to that portion of it which is suffering the penal retribution of the law. As he who would become acquainted with pathology must first become master of physiology, and as he who would restore a patient to health, must learn the causes which transform health into disease, so we, would we be successful in our attempts in discovering and enforcing a normal prison discipline, must thoroughly study, and carefully explore, all the sinuous paths which lead from the straight highway of integrity and truth, down to the dark caverns of misery and crime.

If we learn the true causes which lead the tenants of our prisons to the commission of crimes, we shall surely be able to adapt

the discipline to the reformation of the several classes of offenders far better than if we were ignorant of those causes.

If the prisoner has lapsed into crime through ignorance, we must instruct him. If through inability to earn a living, we must teach him the means of acquiring one. If by the violence of his passions, they must be subdued. If through evil associations, we must inspire him with a taste for a purer society. Whatever may be "the sin that most easily besets him" must be specially combated by the appropriate antagonist remedies.

If these views are correct, as I cannot doubt they are, it is obvious that a thorough and perfect knowledge of the sources of crime must lie at the foundation of all scientific attempts for the improvement of prison discipline. Still more is it indispensable for the success of all efforts to prevent crime in the bud, or rather to arrest those proclivities to crime which we know are so rife in the community before they ripen into actual transgression.

Deeply impressed by these views, I am very desirous that other members of the Association should enter into this most inviting field of inquiry, which invites, and will abundantly reward the exertions of all the laborers who may be willing to enter it.

The tables herewith submitted, in connection with those given in the fourth report of the Association, pp. 81-87, give a tolerable view of crime in the State of New-York from 1830 to 1852, and of England and Wales from 1834 to 1852. Although these tables present a much more complete view of the criminal condition of these States than has ever been given before, they are still far from perfect; the labor of many years must yet be experienced before all the facts essential to a proper understanding of the subject can be presented in a form by which the various theories of criminal reform can be readily tested, or new ones safely deduced.

It is my purpose to continue the labor of extending and improving these tables of the criminal condition of New-York and England and Wales until they are perfected. If others will engage in a similar effort to collect the statistics of Scotland, Ireland, France,

Germany, Russia, and the several States of this Union, we should in a few years have a foundation on which we could rear a system for the suppression and punishment of crime which would be solid and enduring. Embracing so wide a generalization, it would effectually settle many conflicting opinions, it would commend itself to the confidence of legislators, and lead to the solution of many moral and political problems which, without such assistance, must forever remain unsettled, to the great detriment of social happiness and order.

Before entering directly on the consideration of the sources of crime, it will be interesting and profitable to review the tables, in order to gather such collateral information as they may be able to afford.

1st. Is crime increasing or decreasing in the State of New-York? The responses of the tables to this most important question are on the whole of a very satisfactory character. The convictions for crime during the six years from 1840 to 1845 were, on the average, 1,489 annually, and for the next period of six years, from 1846 to 1851, they average 1,468, showing an absolute diminution in the annual average of 21 cases.

Since the population has increased materially during the past six years, the relative decrease of crime is much greater than the absolute. During the first period of six years the rates of crime to population was as 1 to 1,689; during the second period it was as 1 to 1,942, making a difference in favor of the second period of 1 to 253.

It must be recollected, however, that the number of convictions in any country does not exactly measure the amount of crime committed within its borders. Many criminals escape unsuspected, others compound their felonies, which, therefore, never find their way to the public records, others escape from custody by force or fraud; others, by the ingenuity of their lawyers, or by the absence of witnesses for the government.

It has been thought by many, therefore, that the number of committals afford a fairer criterion of the amount of crime in a

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country than the convictions, because, although the wrong person may be accused, there would hardly be an accusation unless a crime had been committed.

If we resort to this test the results are nearly as satisfactory as in the former case. The accusations during the past six years were..... 15,696
During the second six years they were..... 15,903
Absolute difference in favor of the first period,..... 203

Although there has been a very slight *absolute* increase of accusations during the last six years, yet there has been a considerable *relative* decrease.

During the first period the rates of accusations to the population was..... 1 to 995
During the second period it was as..... 1 to 1,168
Making a difference in *favor* of the latter period of. 1 to 173

2d. The next important question is, "Is crime increasing or decreasing in violence and malignity?"

Crimes against the person for the first period were..... 2,678
Crimes against the person for the second period were,.... 2,369
Difference in favor of the second period of..... 309

Crimes against property, with violence, for the first period, 1,009
Crimes against property, with violence, for the second period,..... 887
Difference in favor of the second period,..... 122

As these two classes of crime embrace the most serious and malignant offences, we might flatter ourselves that there was an improvement in this respect also; but a closer examination leads us to different conclusions:

Murders in the 1st period of six years, from 1840 to 1845,...	30	2d period, 1846 to 1851,	38
Manslaughter,.....	73	" "	96
Assaults with attempt to kill,...	88	" "	132
	<u>191</u>		<u>266</u>

Of these three crimes, which are admitted on all hands to indicate the greatest degree of depravity, there has been a most melancholy increase, and the years 1852 and 1853 give promise that the next period of six years will exhibit a still more alarming increase of depravity.

3d. Is crime increasing or decreasing in England and Wales?

Convictions during the 1st period, from 1840 to 1845,.... 120,353
Convictions during the 2d period, from 1846 to 1851,.... 125,703
Increase of convictions during the 2d six years,..... 5,350

Comparing the average annual convictions during the first period of six years with the population in 1841, and during the second period with the population in 1851, we have

Rates of convictions to population in 1st period is.... 1 in 793
Do do do 2d period,..... 1 in 851
Relative improvement in the 2d period,..... 1 in 58

If we look to the number of accusations as we did in the case of the State of New-York for a solution, we have the following statement:

Accusations in England and Wales during the 1st period, 166,692
Do do do 2d period, 166,878
Increase of accusations during the 2d six years,..... 186

Comparing the total number of accusations during the first period of six years with the population in 1841, and those of the second period with the population in 1851, we have:

Rates of accusations to popul'n during the 1st period is 1 in 573
Do do do 2d period is 1 in 644

Relative improvement in the 2d period,..... 1 in 71

4th. Is crime increasing or decreasing in malignity in England and Wales?

Crimes against the person during the six years from 1840 to 1845,..... 8,296

Crimes against the person during the six years from 1846 to 1851,..... 8,078

Difference in favor of the 2d period,..... 218

Crimes against property, with violence, 1st period,..... 8,691
Do do do 2d period,..... 8,721

Difference in favor of the 1st period,..... 30

Convictions for murder from 1840 to 1845,.....	121	from 1846 to 1850,	101
Do manslaughter,.....	620	do do	599
Do assaults with attempt to kill,..	60	do do	75
	<u>801</u>		<u>775</u>

The result in England and Wales appears therefore to be, that there is a very considerable *relative* diminution of malignant crimes, tried by all the tests. There is also a considerable *absolute* diminution of crime against the person, of murders and manslaughters, and a very slight absolute increase of assaults with attempt to kill.

We are therefore entitled to draw the very comfortable conclusion from the official statements, that crime is decreasing in New-York and in England and Wales, both in amount and in malignancy. We shall endeavor, as we proceed, to point out some of the causes of the diminution in both countries.

5th. How do England and New-York compare with respect to crime?

The convictions for crime in England and Wales from 1846 to 1851 were as..... 1 to 851

The convictions for crime in New-York from 1846 to 1851 were as..... 1 to 1,942

Difference in favor of New-York,..... 1 to 1,091

Perhaps the comparison will be more intelligible if we state that the convictions for six years from 1846 to 1851, in England and Wales, amount to seventy-hundredths of one per cent of the the whole population, while in New-York they only amount to twenty-eight hundredths of one per cent. Making a difference of forty-two hundredths of one per cent in favor of the State of New-York.

The comparative tendency to the different classes of crimes in the two countries for the six years, 1846 to 1851, is as follows:

Per cent of convictions for crimes against the person,.....	E. and W., 6.4;	N. Y., 26.7
against property with violence,...	do 6.9;	do 10.1
against property without violence, ..	do 81.1;	do 33.0
against currency,.....	do 2.5;	do 2.5
crimes not otherwise classed,.....	do 2.9;	do 28.2

Judging from the proportion of convictions in the two countries, it would seem that crimes against the person, and unclassified crimes were greatly, and crimes against property with violence, slightly more numerous in New-York than in England and Wales; while those against the currency are relatively equal in both countries.

Crimes against property *without* violence are most usually committed by classes who are driven to crime rather by poverty and shiftlessness than by actual malignity; hence it would seem, from the greater relative prevalence of this class of crimes in England and Wales than in New-York that crime assumed a more violent and malignant aspect in the latter than in the former.

This conclusion must not, however, be received without some modification.

The proportion of convictions to the whole number of accusations is considerably greater in England and Wales than in New-York, but it is quite the reverse in the case of crimes against the person, the proportion of convictions to accusations in this particular class being greater in the latter than in the former. Thus 74.4 per cent of all the persons accused were convicted in England and Wales during the six years from 1845 to 1850, while only 55.8 per cent of the accused were convicted in the State of New-York during the same period.

In the case of murder, the accusations in England and Wales during the above six years were 417, which would indicate that the same number of murders had been committed, but the convictions were only 104, being 24.9 per cent on the accusations. In the case of manslaughter and assaults with intent to kill, there were 1,380 accusations and 614 convictions, being 44.5 per cent of the accusations.

I regret that the official records do not show these facts for the State of New-York, but I am well assured, by information from the judges, the convictions on indictments for murder and manslaughter are much greater than the general rates, and probably amount to at least 80 per cent. These facts show that there is less difference in the malignity of crime in the two countries than would appear from the first glance at the tables as officially rendered. Other interesting facts and comparisons will be noticed as we proceed, under their appropriate heads.

We now proceed to consider the *sources of crime*, the elucidation of which is the principal object of this paper. As we desire to show that crime may be almost entirely suppressed, by the conjoined action of the government and people, our position may be assailed on the threshold by the Christian community on the ground that the power of cleansing the depravity of the human heart from its pollutions belongs wholly to God, and cannot be influenced by human agency. We most fully and reverently acknowledge the truth of this doctrine, nor do we intend to con-

trovert it in the slightest degree in the maintenance of the principle above stated. In order that we may be clearly understood, let us state distinctly what we understand by the word *CRIME*.

By crime I mean simply such a violation of the rights of others as is cognizable by *human laws*, and punishable by *human tribunals*. "Crime (see Crabb's English Synonyms), in Latin *crimen*, Greek *krima*, signifies a judgment, sentence, or punishment; also the cause of the sentence or punishment." We take the word *crime* in the latter sense, viz., any conduct which is liable to a judicial sentence or punishment from the constituted authorities of the country.

Crime is popularly, though erroneously, confounded with both vice and sin. The words are often used interchangeably, without any apparent consciousness of the distinction between them. It will make our way clearer to dissociate them.

Words originally had but one meaning; as ideas multiplied faster than words, the latter in process of time were made to do double duty, in embracing several distinct shades of the former, giving rise to the existing ambiguities of language; hence, to obtain the most vivid idea of a word, and the most clear and distinct notion of its meaning, we must search for this primitive and most abstract signification. Thus the most abstract idea of crime is "that which is punishable;" of vice, in Latin *vitium*, from *vito*, to avoid, is "that which ought to be avoided;" of sin, in Greek *scintes*, from *sino*, to hurt, is "that which is hurtful."

Crime is that which is injurious to the rights of others; *vice* is that which is injurious to ourselves as individuals; *sin* is that which has its seat in the heart, and violates the divine law, and by its reflex action is in the highest degree *hurtful* to ourselves.

Murder is a *crime*, because it violates the laws of the land and the rights of the murdered person. Opium eating is a *vice*, because it inflicts injury on the eater. Ingratitude is a *sin*, because it has its seat in the heart, and is a violation of the divine law. It is not a crime, because it is not punishable by human tribunals; it is not a vice, because it is more injurious to the victim than to the person guilty of it.

Crime defined

Sin is a generic term which generalizes every form of human guiltiness, and includes, as species, both vice and crime.

It is the province of the theologian to investigate the nature of *sin*; the moralist traces out the cause and cure of *vice*; the function of the legislator is to provide for the prevention and punishment of *crime*.

There are many evils which may be more injurious to society than the commission of any of the crimes embraced in the statute book, which cannot be reached by the legislator from the impossibility of defining them. Everyone knows the evil that is occasioned in a community by a talebearing neighbor, but it cannot be corrected by legislation, because it is impossible to define beforehand in what it consists; the language of the law, subtle and flexible as it is, cannot describe an innuendo, or ascertain the floods of mischief which may flow from a wink. We can therefore only include in the catalogue of crimes those violations of public or private rights which are susceptible of accurate definition, and clear and undoubted proof.

If we rigidly restrict the meaning of the word crime to the definition above given, the theological difficulty vanishes entirely. In asserting that it is within the power, and that it is the duty of the legislator to prevent the commission of crime, we invest him with no exclusive attribute of Deity, nor with any power over the hearts and consciences of men. We may conceive that crime may be entirely suppressed in the State of New-York, while the aggregate of sin has been greatly augmented; and, on the other hand, the number of crimes may be greatly increased even in the midst of a general growth in holiness among the masses of the people.

Crime is one of very many channels through which the sins of the heart are manifested. Sin, in general, develops itself through this channel, when moved upon by certain external causes. These being under the control of the legislator, he may, by arresting these, destroy the crimes to which they give rise.

Having, as we trust, stripped the proposition of all theological objections, we may now proceed to inquire into the causes which

lead mankind to exhibit the natural depravity of their hearts by the commission of crimes.

In my remarks on the sources of crime, inserted in the fourth report of the Association, I noticed the wonderful coincidence in the amount of crime committed in equal periods of time in given divisions of territory. This coincidence was so close that if the number of crimes committed within the territory for any given time was ascertained, we might predict, with perfect assurance, that the same number of crimes would be committed in an equal period of future time. Thus, if one hundred crimes had been committed during the last three years, we might rest assured that one hundred crimes would be committed in the ensuing three years. Not only were the number of crimes equal in equal terms, but they were of the same classes, and committed by persons of the same age. The statistics collected since that paper was written, and embodied in the annexed tables, confirm the observations then made, in the most surprising manner.

Thus, the number of persons accused of crime in the State of New-York, during the six years between 1840 and 1845, was only 207 less than the number accused during the six years from 1846 to 1851. The number accused in England and Wales, during the first period, was only 186 less than the number accused during the second period.

There is also an equally remarkable similarity in the different classes of crime. Thus, in the State of New-York the number of offences in each class, for the five years between 1839 and 1843, and the same period from 1844 to 1848, is as follows:

	1839 to 1843.	1844 to 1848.	Differences.
1st class. Offences against the person,.....	2,100	2,021	79
2d do do property, with violence,	775	739	36
3d do do do without do	2,334	2,325	9
4th do do the currency,.....	290	209	81
5th do Offences not included in the above,.....	1,599	2,337	738
Total,.....	7,098	7,641	543

The similarity in the number of each class in England and Wales is equally remarkable. Thus, the number of offences in

each class during the period of five years from 1838 to 1842, and from 1843 to 1847, was as follows:

	1838 to 1842.	1843 to 1847.	Difference.
1st class. Offences against the person,.....	10,975	10,016	959
2d do do property, with violence, ..	8,999	8,955	44
3d do do do without do,	105,835	105,017	818
4th do Malicious offences against property,	1,170	634	536
5th do Forgery and offences against currency,	2,585	2,551	34
6th do Other offences,	4,812	6,620	1,808
Total,	<u>134,876</u>	<u>133,793</u>	<u>583</u>

The similarity between the number of specific crimes committed in similar periods of time is almost as close as in the more generalized classes. Thus, in England and Wales the number of crimes committed in each of the periods of five years between 1840 and 1844, and between 1845 and 1849, were as follows:

	Total commitments in each five years.	
	1840 to 1844.	1845 to 1849.
Murder,	347	365
Attempts to murder, cutting, wounding, &c.,	1,157	1,173
Manslaughter,	1,053	980
Concealing the births of infants,	306	331
Unnatural offences,	561	542
Rape and carnally abusing infants,	506	567
Assaults with intent to ravish,	690	663
Bigamy,	354	399
Assaults, common, and on peace officers,	5,824	5,228
Other offences against the person,	87	70
Burglary, house breaking and sacrilege,	6,241	5,517
Shop, warehouse and curtilage breaking,	1,562	1,325
Robbery and assaults with intent to rob, ...	2,306	1,969
Other violent offences against property,	165	147
Cattle, horse and sheep stealing,	2,984	2,187
Larcenies, simple, from the person; dwelling houses, &c.,	98,169	98,361
Embezzlement,	1,805	1,812
Receiving stolen goods,	4,059	3,587
Fraud,	3,000	2,868

Total commitments in each five years.
1840 to 1844. 1845 to 1849.

Other offences of simple theft and attempts to steal,	202	260
Arson, and other willful burning,	519	708
Felonious riots and demolition of property,	140	24
Maliciously killing and maiming cattle,	176	162
Other malicious offences,	231	134
Forging and uttering forged instruments,	781	783
Coining, putting off and uttering counterfeit coin,	2,047	1,946
Offences against the game laws,	655	656
Sedition, riot, &c.,	1,241	256
Breach of peace and riot,	2,676	1,699
Keeping disorderly houses,	945	526
Other offences, not included under the foregoing,	1,600	1,163
Total,	<u>142,389</u>	<u>136,408</u>

This almost exact conformity between the number and nature of the crimes committed within equal periods of time, holds equally good of the different ages of the persons by whom they are committed, as will appear from an inspection of Tables S and T, where the facts, as existing in the State of New-York and in England and Wales, are grouped together, for a considerable series of years.

It will be seen from these that the average number of crimes in 1,000, committed in the State of New-York, by persons under 14 years of age, was 13; the smallest number, for any year, was 80 in 1,000, and the largest was 19 in 1,000.

The average proportion of crimes in 1,000, committed in England and Wales, by persons under 15 years, is 56; the smallest number in any one year, except the anomalous one of 1843, was 53, and greatest was 65 in the thousand.

This equality is also apparent in the proportions of the sexes, as will appear from table U. and V., and with regard to the amount of education, as will be seen from tables D. and N. N.

This most extraordinary coincidence in the amount and incidents of crime, committed in each successive year, and still more in periods embracing several years, will be still further apparent on a careful comparison of the numbers given in the tables, and will be noticed also as we pass over the different special sources of crime.

I have not been able to procure the official statistics of France, Massachusetts and Connecticut for a consecutive series of years, but from the imperfect data in my possession I have no doubt that this equality will be as strongly marked in these states as in New-York and England.

I think it will be impossible for the most sceptical to resist the conclusion which the facts just cited press so forcibly upon us. The inquiry will press itself on every mind, "Why are these things so?"

Since the annual production of crime is more regular than the annual production of hay from a given meadow, or grain from a given field, or fruit from a given number of trees, or the annual amount of rain falling on a given portion of the earth's surface, or than almost any natural production which we know to be due to the action of regular and divinely appointed laws; we are authorised by the severest rule of logic to infer, that this too is the result of natural laws put into action by regular and adequate causes.

If it be alleged that a certain invariable portion of mankind are born into the world with unavoidable tendencies to crime which they cannot resist, either in consequence of some mysterious natural organization or some equally mysterious divine decree, we answer, that the explanation does not adequately account for the facts as they exist; for on this hypothesis, the proportion of criminals to the whole population ought to be invariable in all countries; but as we have seen, they differ widely in New-York and England, and the difference is as great between those states and

others. In Prussia they are as 1 in 228. In Belgium as 1 in 766. In Sweden as 1 in 891; and in the Grand Duchy of Baden they are as 1 in 410 of the total population. Tables B. and L. show that the proportions vary greatly in different counties of the same country; and history assures that on a sudden and radical change of circumstances, the proportion of crimes to the population varies greatly in the same country. In Castile, the number of crimes committed during the latter years of the reign of Ferdinand and Isabella, were less than one-fourth of those which were committed at their accession. Napoleon reduced the number of crimes committed in France in a still greater ratio. A table showing the number of crimes in any country for a long series of years, will accurately indicate the years of famine, by the increased number of crimes. To this remark an exception must be made in favor of Ireland during the famine years in 1847 and 1848.

These facts are conclusive in opposition to the theory that the uniformity of crime in any country arises from the inherent organization of men, or the irreversible decree of the Almighty. They teach us rather that it arises from the uniform existence of the causes which produce it, and that those causes whatever they may be, are within the control of enlightened and efficient rulers.

We may assume, then, without farther argument, that crime runs in perpetually recurring cycles, that a certain amount of it will be sure to occur every year, just as a certain number of leaves will clothe the forests with foliage, and a certain number of blades of grass will cover the fields with verdure, and that the same character of spontaneity belongs to it, as well as to the leaves and to the grass. Since every action implies an agent, and every effect a cause, it follows that there must be a uniform cause to produce this uniform effect, or if it is due to a series of causes, their conjoined, aggregate action must be uniform.

The general histories, as well as the criminal records, of various countries, assure us that there are a number of separate causes which act in conjunction to cause the commission of crime. In like manner there are other separate causes whose conjoint action tends to repress and to subdue it. The action of these an-

Crime by numbers

Crime cycles

Crime tendencies

tagonistic forces—the results of the several separate forces—are measured by the annual convictions, or, more properly, perhaps, by the annual committals. While they are equal in power the committals remain stationary, when the criminal forces exceed the anti-criminal ones their number increases; when the latter gain the preponderance their number diminishes. In 1841 the relative strength of these two forces was measured by the number 2,643, which was the number of accusations in the State of New-York during that year. In 1842 forces tending to criminality increased in power, being represented by the number of accusations 2,755. In 1843 and 1844 the anti-criminal forces rallied, as appears by the reduction of the accusations, to 2,660 in the one year, and 2,575 in the other.

These facts are full of consolation and encouragement to those who are laboring to effect the suppression of crime. They demonstrate, on the one hand, that every grog shop or gambling house, every theatre or brothel that is established, nay, every oath that is sworn, every Sabbath that is violated, every angry passion that is indulged, every licentious thought that is cherished, goes to swell the aggregate of criminality, and to enlarge, by some assignable integer, its numerical expression.

They show, on the other hand, that the ablest effort for good, every benevolent action, every act of self denial, although small and almost imponderable by itself, yet does its appropriate work and office, and is felt in the general balance.

The great object of our effort should therefore be, to ascertain what are the constant and unvarying causes which turn the natural depravity of man's heart into the channel of crime.

There are two distinct methods of acquiring a knowledge of these causes, which may be resorted to singly or in combination; first, by conversations with individual prisoners we may learn the causes which led them to the commission of crime, and when a great number of these interrogations have been answered, we may tabulate the results, and the totals will indicate the comparative potency of each. Or, second, we may compare the districts where crime is most prevalent, with those where it is most rare, and we

may then safely infer that the differences in their circumstances constitute the causes of crime.

The results obtained by either of these methods will give us accurate views of the causes of crime, but neither will give us an accurate numerical expression of the relative potency of those causes. This ambiguity arises from the fact that crime is rarely occasioned by the agency of a single cause, but from the combined action of several. Thus, drunkenness is an undoubted cause of crime, yet it rarely is the sole cause; sometimes it leads to gambling, at others to licentiousness, at others to poverty, and in other cases to all these combined; it is, then, impossible to say which of these separate causes are most potential in urging the criminal on to crime. The second method is also liable to a similar ambiguity. Were the existence of grog shops the sole cause of crime, then crime in any given districts would be in the exact ratio of the number of grog shops in each, but this is not the case. A district having a large proportion of grog shops may show far less crime than one where the proportion of grog shops is very small, but the latter may abound in gambling houses, brothels, theatres, &c., which conjointly may produce more crime than grog shops alone.

It is proper and necessary to keep these sources of fallacy in view, but I trust we shall be able to obtain a sufficient amount of evidence to lead us to conclusions which it will be safe to rely on for all practical purposes.

The leading and most widely operative causes of crime will, I think, be found to be the following:

- 1st. Grog shops.
- 2d. Brothels.
- 3d. Theatres.
- 4th. Gambling houses and lotteries.
- 5th. Bad construction and bad management of our common jails.
- 6th. Pernicious books.
- 7th. Orphanage.
- 8th. Insanity.

Crime is not caused by one cause

- 9th. Ignorance.
10th. Want of trades.
11th. Poverty.
12th. Inefficient preventive police.

If these causes of crime were removed, it would follow that crime would cease. Not that it would so cease that a crime would never, under any circumstances, be committed, but as we say, without any serious impeachment of our accuracy, that it is dark when the sun has ceased to shine, although the feeble light of stars still glimmers in the heavens, so may we say that crime would cease when these sources were done up, even if sudden passion or deep seated avarice, here or there, at distant intervals, prompted its commission. We propose to speak of them in the order as stated above.

1st. *Grog Shops*.—We do not suppose that even those who will be most disposed to contest the general views advanced in this paper will deny that these establishments are nurseries of crime. Few facts are more generally conceded by all classes and all denominations than this. Even those who keep them have no hesitation in acknowledging it, but they contend that the innate desire for intoxicating drinks is so strong in man that they will obtain them in some way; if they cannot openly, they will secretly; if they cannot legally, they will illegally; hence they allege that, although great mischiefs follow from intoxication, yet, on the whole, less injury is caused by their open than by their illicit sale. Since the very dealers in liquors admit the tendency of the traffic to produce crime, we need not fear that any other body of men will attempt to deny it.

It is very certain that the convicts in our State prisons attribute their criminality to the use of intoxicating drinks with singular unanimity. "If it had not been for the grog shops I should never have been here," is the stereotyped complaint which issues from almost every cell, and swells in melancholy chorus through the corridors of our prisons.

The laws of the State of New-York require the sheriffs to return annually to the Secretary of State the habits of all criminals

who have been sentenced during the year, with respect to temperance and intemperance. This law is very imperfectly obeyed. Very many are convicted whose habits are not reported at all; and of those who are reported the information is very vague and loose. The inquiry is generally made by the jailor—not by the sheriff in person—and he merely inquires whether the convict has been temperate or intemperate. Many of the convicts are very liberal in their interpretation of the word temperate. If they have not been drunk every day, they do not scruple to report themselves as temperate, even though they have spent their time habitually at the grog shop, and have been more or less disguised by liquor every day. Without further interrogation they are set down as temperate, and appear thus in the records in the office of the Secretary of State. From this it appears that there is no danger of error in assuming that all who are classed as intemperate in those records really are so; but there would be great error in assuming that those who are reported as temperate really are. From my own investigations I have no doubt that two-thirds who are returned as temperate are in reality frequenters of grog shops, and in a greater or lesser degree drinkers of liquor. I have visited most of the prisons in this country, some of them frequently, and have had much personal conference with the prisoners, and I never found more than twenty who did not acknowledge that such was the case with them. Table D contains a summary of the returns in the Secretary of State's office in relation to the habits of convicted persons in the State of New-York from 1846 to 1851, from which it appears that out of 13,769 criminals, 7,149 were certainly intemperate, and a strong probability, amounting to an almost moral certainty, that two-thirds of the remainder were so also. Of 1,125 prisoners sentenced to the Albany penitentiary in 1851 and 1852, 1,013 were intemperate, and 112 claimed that they were temperate.

In the year 1851 there were 756 places where liquor was sold in the city of Albany. During three months of that year the police arrested 1,707 persons, 1,300 of whom were drunkards, and 433 were drunk at the time of their arrest.

.. In 1850 there were five persons lying under sentence of death, in the prisons of Connecticut, for murders committed under the influence of strong drink, and while awaiting their execution a sixth murder occurred from the same cause.

In 1851, 158 convicts were within the walls of the Connecticut State Prison; 134 of these were spirit drinkers.

Judge Stearns, of Georgia, reports to Governor Cobb in 1853, as follows : " In every hundred cases tried of all kinds, there have been 33.3 cases with which the evidence connected the use of ardent spirits as a cause, or just one third. In every one hundred cases of crime against the person there have been 46.16 cases with which the evidence connected the use of ardent spirits as a cause."

It will be noticed that Judge Stearns does not pretend to state any thing beyond the cases where the connection between intoxication and crime came out on the trial, in evidence. It is obvious to all who are conversant with criminal trials that many more might have been led to crime by intemperance than would appear through this channel.

Of 648 prisoners committed to the State Prison of Maryland, since 1840, 257 (41 per cent.) attributed their criminality to intoxication.

Three hundred and sixty-one persons were committed to the jail of Providence, R. I., in 1850 ; of these 292 (78 per cent.) were intemperate.

Of 962 prisoners received into the eastern penitentiary of Pennsylvania, 745 (77 per cent.) were addicted to intoxication.

Out of 975 prisoners received at Auburn prison, 736 (75 per cent.) were drunkards, 219 were moderate drinkers, (their own notions of moderation being the standard,) and only 20 who were total abstainers ; 589 were under the influence of strong drink at the time of committing the crime, and 367 had intemperate parents.

Of 28,369 persons committed to the county jails and houses of correction in Massachusetts, 14,531 acknowledged their intemperance. (50 per cent.)

Eleven hundred and twenty-nine murders were committed in France during four years ; 446 of these (39 per cent.) were committed during drunken brawls at taverns.

I have given the preceding statements of a much larger number in my possession as samples of the overwhelming amount of testimony which exists to prove that intemperance is one of the most active causes of crime. In the absence of all other modes of proof, these would be deemed sufficient to establish the position on an impregnable basis. But I am possessed of another sort of proof, which owing to the self-indulgence of the masses and the timidity of legislators, is unfortunately more rare than the kind which I have adduced above. The proof we have been exhibiting shows that intemperance causes crime ; and this, as we have seen, exists in abundance. The proof which we now offer shows the converse of this, that Temperance diminishes crime. This kind of proof is scanty, not that it ever fails when tried, but the examples of trial are unfortunately very few. The first instance occurs in the U. S., and illustrates the influence of voluntary abstinence. Few adults have forgotten the great Washingtonian movement which commenced in 1842 and continued with great power during the year 1843, et seq. At this period, there was a most marked revolution in the drinking usages of the whole country ; long besotted inebriates reformed, moderate drinkers abandoned wholly the use of intoxicating drinks, and the motto of " touch not, taste not, handle not," was inscribed in almost all the dwellings of the country, except those of the most fashionable and wealthy. This abstinence began to make itself strikingly manifest during the latter part of 1843 and 1844 in the diminution of crime. The 19th annual report of the Boston prison discipline society contains extracts from the letters of numerous prison officers in different parts of the Union, all of whom concur in acknowledging the fact that crime was rapidly decreasing under the operation of the temperance reform. It also contains the following statistics taken from official sources :

" *Maine State Prison.* Number of prisoners in 1843, 63 ; in 1842, 57 ; in 1841, 42 ; in 1840, 68 ; in 1837, 77 ; average number for 13 years previous to 1837, 80 ; so that the number of pri-

soners has diminished nearly one fourth, while the whole population has increased one fourth."

"The number of prisoners committed to the state prison in 1843, was 27; in 1842, 31; the average number committed in 13 years previous to 1837 was 44; shewing a decrease of more than one third in the number of commitments."

"*Vermont State Prison.* The number of prisoners in 1843, was 65; in 1842, 73; in 1837, 92; which was the smallest number in 25 years, the average number for that period having been about 100, and the highest number, 138; shewing a diminution of more than one third from the average for a long period of years. At the same time the population increased one third."

"The number of persons committed to the State Prison in Vermont indicates also a diminution of crime. In 1843, 23; in 1837, 30; average number for 20 years preceding, 36, being a diminution in the number of commitments of about one third."

"*New Hampshire State Prison.*" Number of prisoners in 1843, 99; in 1842, 92; in 1841, 84; in 1840, 78; in 1839, 78; in 1837, 72; average number for 10 years, 73; showing an increase of the number of persons of about one fourth, which corresponds nearly with the increase of the population."

"The number of commitments to the State Prison also increased in a similar proportion."

"*In Massachusetts State Prison.*" Number of prisoners in 1843, 245; in 1842, 287; in 1841, 331; in 1840, 322; in 1839, 318; in 1837, 331. Average number in 10 years preceding 1837, 298, showing a diminution of 33 from the average number 25 years ago. During this time the population has increased about one half.

"The number committed last year was 97; the average number committed for ten years previous to 1837, was 99; showing in this regard a small diminution, while the population greatly increased."

"*In Connecticut State Prison.*" Number of prisoners in 1843, 203; in 1842, 211; in 1841, 205; average number for nine years

previous to 1838, 191. Here is a small increase of prisoners but not in proportion to the increase of population."

"Number committed to prison year ending 1843, 54; average number committed for 10 years preceding 1837, 61; shewing a diminution in the number of commitments, notwithstanding the increase of population."

"*In Rhode Island State Prison.*" Number of prisoners in 1843, 22; in 1842, 23; in 1841, 21; in 1840, 14; this was very soon after the commencement of the Prison operations."

"The number committed last year was 10; the year before, 9; and the year before that 6; shewing a small increase; but the whole number committed from November, 1838, to October, 1843, was only 47."

"*In New York State Prison at Sing Sing.* The number of prisoners in 1843, 763; average number for 6 years previous to 1837, 814. The prison contains 1000 cells, and on the 30th of September, 1831, the Inspectors reported to the Governor, that the number of convicts at one time during the year then passed, had exceeded 1,000, and that it might be fairly estimated that the number would not fall short in the course of the following year of 1200. Instead of this, it diminished, and in September last it was 763, showing a very considerable diminution, notwithstanding the vast increase in population in the State and city of New York. These remarks apply only to the prison for men, the prison for women at Sing Sing having been established comparatively a short time."

"*In the State Prison at Auburn,* the number of prisoners in 1843, was 771; in 1842, 712; in 1841, 707; in 1840, 695; in 1839, 670; in 1837, 678; average number for 10 years previous to 1837, 641; showing a very gradual increase in a period of nearly 20 years, of about one sixth part, while the population of New York has increased in that period more than one million, or nearly one-half; showing therefore not a diminution in the number of prisoners, but an increase in a far less ratio than the increase of population."

In the Pennsylvania State Prison at Philadelphia, the number of prisoners in 1844, was 359; in 1843, 356; in 1842, 351; average

number in six years preceding 1842, 387; shewing on the whole, a diminution in the number of prisoners; while the population of Pennsylvania has increased one third in ten years."

"In the Maryland State Prison at Baltimore, the number of prisoners in 1843, was 287; in 1842, 290; in 1841, 284; in 1840, 329; in 1839, 323; in 1838, 353; in five years preceding 1838, an average of 381; showing a diminution in the number of prisoners of one fourth." This being one of the results of the great temperance reform which it will be remembered began in Baltimore and worked most powerfully there.

Our next proof is taken from the other side of the Atlantic, and, as we think, is one of the most powerful, convincing and unmistakable pieces of demonstrative evidence on record in relation to this question.

An act of Parliament was passed which took effect in 1849, requiring public houses to be closed from 12 o'clock on Saturday night to half past 12 o'clock on Sunday night; the following table exhibits the number of crimes committed in three different cities of England during the three years preceding and the three years succeeding the enforcement of the law.

CITY OF BRISTOL.

Years ending in June.	Felonies.	Misdemeanors.	Drunkenness.	Total apprehended.
1846,	1008	2385	722	4115
1847,	1012	2426	576	4014
1848,	1165	2435	456	4062
1849,	1066	2133	400	3599
1850,	982	1610	361	2953
1851,	1106	1601	361	3068
Average per annum for 3 years, ending June 1848, } ..	1061	2415	584	4063
Average per annum for 3 years, ending June, 1852, } ..	1038	1560	374	2903

CITY OF MANCHESTER.

Committed for all offences 3 years before the act,	10,823
Committed for all offences 3 years after the act,	5,850

CITY OF LEEDS.

Average committed for the 3 years before the act,

Average committed for the 3 years after the act,

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Shewing a diminution of crime amounting to 28.55 per cent for Bristol; of 45.97 per cent for Manchester; and of 19.38 per cent for Leeds. The average diminution for the three places is 30.30 per cent.

The following proofs, which have fallen into my hands since the above was written, and which strongly corroborate the position assumed, consist of extracts from the report of the Mayor of the city of Portland (Me.) to the city council on the working of the Maine law. "There were committed to the ALMS HOUSE from June 1st, 1850, to March 20 1851 (before the law) 252 252 persons. From June 1st, 1851 to March 20, 1852, (after the law) 146 persons. Difference in nine months 106 in favor of the law. Number in the alms house March 20th, 1851, 112; number in the alms house March 20th, 1852, 90; difference 22. Number of families assisted out of the alms house from June 1st, 1850 to March 20th 1851, 135; from June 1st 1851 to March 20th 1852, 90; difference in nine months (just one-third,) 45. Seventy-five of the 90 in the alms house, March 20th, 1852, came there through intemperance; four of the ninety were not there through that cause; the history of the remaining eleven are not known.

Committed to the HOUSE OF CORRECTION for intemperance from June 1st 1850 to March 20th 1851, 46; for larceny, &c. &c. 12; in all, 58. From June 1st, 1851, to March 20th, 1852, for intemperance 10; for larceny, &c. &c., 3; in all 13; a difference in nine months of more than three-fourths.

At the term of the POLICE DISTRICT COURT in Portland, March 1852, but one indictment was found for larceny, and that was the result of a malicious prosecution; while at the March term of 1851, seventeen indictments were found. There were committed to the watch house from June 1st 1850 to and including March 1851, 431 persons. For the corresponding period of 1851-2, after the enactment of the Maine law, the number was 180; a deduction of three-fifths, notwithstanding the increased vigilance of

the police in the latter period in arresting people found in the streets in a state of intoxication."

The returns from the common jail showed as striking a contrast as those stated above. The Mayor's report continues :

"Committed to the jail for drunkenness, larceny, &c. from June 1st 1850, to March 20, 1851, 279; for the corresponding period of 1851-2, 135; difference 144. Deduct liquor sellers (72) imprisoned in the latter term, and we have 63 for drunkenness, larceny, &c., against 279 for the corresponding period before the Maine law, a deduction of almost 7-9ths in the short period of 9 months. There were in the jail on the 20th of March 1850, 25 persons; on the 20th of March 1851, 7 persons, three of whom were liquor sellers; without them the numbers would be 4 against 25 of the corresponding day of 1851, a falling off of more than 83 per cent in the short period of nine months."

The jails of Kennebec, Franklin and Somerset counties were empty, and that of Penobscot county nearly so, while the alms houses of the state were rapidly undergoing the process of depopulation. The alms house at Portland was built when the city contained about 10,000 inhabitants, and at 23,000 it was densely crowded. The authorities were considering the erection of a new one to cost \$50,000; but after the Maine law had been in operation a few months only, ranges of apartments were empty there; and the establishment as it now stands will be sufficient, under a vigorous enforcement of the Maine law, until the city shall contain 100,000 inhabitants.

We have thus submitted specimens from the different species of evidence in our possession, which shew that the use of ardent spirits as a drink, is a fearful provocative of crime. We believe no truth received among men, was ever demonstrated by clearer or more unambiguous evidence; and we commend with it great confidence to the serious and deliberate consideration of all into whose hands it may fall.

2. *Brothels* are prolific sources of crime. We trust we shall offend no real delicacy by an allusion to this subject. Too many families have been ruined, too many fathers have had their gray

hairs brought with sorrow to the grave,—too many mothers have been condemned to long years of silent, but excruciating mental torture,—the evil is too widely spread and too deeply rooted,—it is too luxuriant in its growth and increase to permit us to pass it over in silence. The following extract from the report of the chaplain of the Connecticut State Prison* shows the influence of licentiousness on the production of crime. "Will you please, sir preach from this text next time?" was lately a convict's request, "What text?" "This here in Hosea: the 4th chapter and 11th verse, where it says, 'Whoredom and wine, and new wine take away the heart.'" "Why do you wish to have that text preached from?" "Because, sir, they are what brought me here, and I guess most all the rest of us." This man guessed right. Scarcely a man can be found in prison, who was not in the habit, when at liberty, of going to those who "put the bottle to their neighbors mouth," or to those "whose feet go down to death." Some particular places may be pointed out, where, under the blighting influence referred to, criminals are multiplied, as it were, by wholesale.

In a period of five years, about 40 colored persons have been sent to this prison, who had been convicted of crime in New Haven. Nearly all these individuals have referred to their nocturnal visits to a den of infamy kept in that city, as being closely connected with the crime for which they were convicted. The following testimony from Dr. Lieber, is in point: "I have taken pains," he says, "to ascertain the character of a number of convicts, and as far as my experience has gone, it shows me that there is, almost without exception, some unprincipled or abandoned woman, who played a prominent part in the life of every convict; be it a worthless mother who poisons by her corrupt example the souls of her children,—or a slothful intemperate wife who disgusts her husband with his home,—or a prostitute, whose wants must be satisfied by theft,—or a receiver of plunder,—or a spy of opportunities for robbery."

We too are enabled to corroborate these assertions of Dr. Lieber by as extensive a range of enquiries at the cells of our States

* See 12th annual report of American Prison Discipline Society, Boston.

Cases of drunkenness

Prisons as usually falls to the share of a single individual. We are satisfied beyond the shadow of a doubt that licentiousness is a mighty engine of the devil for the production of crime. A moral instructor in the eastern penitentiary of Philadelphia * investigated the cases of 962 prisoners committed to that institution, and found that 182 of them were directly caused by licentiousness, and the chaplain of the Auburn State Prison found that 251 out of the 452 who were willing to answer the question were guilty of the same thing.

A fearful light was cast upon us, illustrative of the tendency of licentiousness to produce crime, by an interview with a fallen woman in one of our Penitentiary hospitals; and perhaps we can in no way better enforce upon the public mind, the danger of such courses, than by briefly narrating the facts of the case as they were disclosed to us.

We were arrested in passing through the hospital by the relics, in one of the inmates, not only of beauty, but of those nameless, indescribable indications which constitute the charm and the attestation of good breeding and polished society. She must have possessed these attributes in her palmy days in a high degree, to have retained so much through the wear and tear of long years of disgusting criminality.

On speaking to her we were no less struck with the sweetly modulated tones of her voice, and the extreme elegance of her language; nothing could be more appropriate than her phraseology, her words were most adroitly chosen, and conveyed her meaning in the most clear and accurate manner. We were not, therefore surprised to hear that she had been born and reared in the mansions of affluence and luxury. Her family was one of the highest respectability, her father was a wealthy merchant, who spared no pains nor expense in giving his children the best education that could possibly be obtained; they were introduced into the best society and allowed to expend as much as they desired in the adornment of their persons and the gratification of their taste. Just as she completed her education and was fairly launched into

* See sixteenth Annual Report eastern Penitentiary, Philadelphia.

the stream of society, in the very acme of that delicious intoxication which the first taste of fashionable life almost invariably creates, the goblet was rudely dashed from her lips, and by a rapid and painful transition she was compelled to drain the cup of poverty to the very dregs. During a severe commercial revulsion her father failed, honorably giving up every thing he possessed, even the personal ornaments of his wife and daughters, to satisfy the demands of his creditors; but the violence of the change was too great for his strength; in a short time he was consigned to the grave, the expenses of his burial absorbing every dollar in the possession of the family. The mother had been too long accustomed to the dissipations of fashionable life to meet her altered circumstances with any thing like judgment or prudence, but sunk at once, without energy or effort, in querulous complaining and impotent despair. They resorted to the wealthy friends of their prosperity for assistance, but were civilly repulsed, and the only mode remaining for them to escape starvation was for the daughter to learn the trade of a dress maker and work for her daily bread.

She told us no mortal lips could speak the unutterable anguish of her spirit as she brooded, through long days of mortification, and long nights of weeping, over the disparity between her former and her present condition. She built the whole superstructure of her happiness on the pomp, and glitter, and gaiety of fashionable life, and when these were swept from her grasp she was in thick darkness, without a single ray of light to give her joy for the present, or hope for future years. Becoming a proficient in her trade, she was entrusted with the best kinds of work, and was often stung to madness by being compelled to adorn with elaborate and costly ornaments the bridal dresses of young ladies who, a few short months before, received less of the devotion of the drawing room, and were less sought after in the dance than she herself had been, but now looked down upon her with a haughty pity, more stinging by far than absolute rudeness. "Oh! sir," said she, "if you have a daughter, pray for her that poverty and pride may never meet together in her person."

Case of woman who fell by drink & licentiousness.

There is wondrous power in time to meet the most poignant distress. When a broad tract of time intervenes between us and a crowning sorrow, it is divested of half its bitterness, just as the rough crags and frowning precipices of a far-off mountain are blended in harmonious smoothness by the distance; and suffering long borne, loses its asperity by the sheer force of habitual endurance.

Time worked its effected office on her. Her taste and skill commanded liberal wages which enabled her to make considerable additions to her wardrobe. Her glass assured her that her personal charms had not been diminished by her misfortunes, and hope, "which springs eternal in the human breast," suggested to her that a fortunate marriage might yet restore her to those charmed circles whose delights she had once tasted, and which she longed more and more to re-enter. This idea, which first occurred as a bare suggestion, grew daily in strength, and at length became an overmastering passion, for the accomplishment of which all her energies were taxed to their utmost tension. She rose early and walked in the pure morning air to restore the roseate hue to her complexion, which had somewhat faded from too close an application to her sedentary labors, and diligently cultivated her voice while busily plying her needle. She paid the utmost attention to her dress, and endeavored, by every means in her power, to attract the attention of eligible young men; in this she was soon successful, and the pretty dressmaker became a general favorite among a certain class of young men, who, released by affluence from the cares of business, are too happy to find any means to kill the weary hours, irrespective of their morality or ultimate tendency.

She was delighted with the success of her schemes, and flattered herself that she would soon make a permanent conquest, which would enable her to bid adieu to the weary monotony of her needle, and enable her once more to resume her station in the gay and giddy throng, among whom she expected to taste unmixed felicity.

Just at this juncture she became acquainted, or rather renewed a former acquaintance with a young man of respectable connex-

ions, and of great wealth both in possession and expectancy, and very soon she found that she was really in love with him. Fashionable life was now divested of its charms, for she felt that with him she could live happily in the meanest hovel, and submit with cheerfulness to the severest privations.

But the young man was a cold hearted villain, he cared nothing for the poor dressmaker, save as an amusement for the passing hour, and never dreamed that one so far beneath him in social station could ever think seriously of a matrimonial alliance with him.

One evening he invited her to ride, and alighting at one of the ostensible houses of refreshment in the vicinity of the city, he offered her a glass of wine, it was drugged, a profound stupor ensued, and on awakening the next morning found that she was ruined.

There are moments when a whole lifetime seems concentrated into a single instant, when the intellect works with a rapidity no physical examples can illustrate. It was so with her. The whole magnitude of the injury burst upon her at once, with all its antecedents, and all its terrible consequences, and she devoted her whole life to a revenge which should know no moderation or mercy, no weariness nor cessation. The plan in all its complicated details was developed in a moment, and adhered to with an untiring energy which a veritable fiend could scarcely hope to surpass.

She offered no reproaches to her betrayer, treated the injury as a harmless jest, and even invited a continuance of the intimacy. Henceforth she was the Evil Genius of his life. Secretly and subtly she goaded him on to every species of vice and debauchery; professing the most tender and unselfish affection, she drew money from him continually, with which she hired sharpers—men about town—thoroughly versed in every species of knavery, whose business it was to furnish him with provocatives to gambling, drinking, and every conceivable form of vice. She carefully watched every rally of his better nature, and by a skillful alternation of persuasion, threatening and banter, choked the

first rising of every virtuous impulse, and confirmed him in his career of vice and dissipation.

She knew full well where this would lead him, nor was she disappointed. Gambling reduced him to poverty, and drunkenness and debauchery destroyed his health. Then, when he was thoroughly fastened in her toils, when poverty and sickness had done their work, when he was unable to procure a wretched bed or a scanty meal except through her charity, then, and not till then, did she wreak her long-cherished vengeance upon him. It was her daily delight to visit him, to upbraid him, to reveal to him in bitter irony the machinery by which she had wrought his ruin; and when the last closing scene drew near, she sat by his bedside, like a vampire or a ghoul, and mingled her awful excretions with the screams extorted by his dying agonies.

Her vengeance was not yet satisfied: she had as yet ruined only one man in body and in soul; she demanded more victims; her warfare was against the whole sex, which to her perverted vision were all accursed. Whenever she could fasten her fangs on a young man of genteel family, whose prospects were bright, and whose career was likely to be brilliant, she never relaxed her hold, she studied every point in his character, his hopes and fears, everything that attracted or repulsed him, and, adapting with demoniac sagacity, the means to the end, she seldom failed in her accursed purpose. She told us she had hunted down no less than *thirty-two* young men. Some ended their career in the States Prison, others were inextricably involved in disgrace, and others were landed in the cold and silent grave.

We asked if she believed that all her sisters in infamy felt the same hatred of mankind, and the same desire to involve them in disgrace as she had done?

She replied, that she believed the feeling to be universal among them all. When a woman had once fallen she desired to revenge herself not only on her seducer, but on all his sex, and no game was followed with greater relish than involving all who came within the compass of their toils in crime and its consequent punishment. While they were but few who possessed the power

of concentrating their energies on a single point so unwaveringly, or could continue them as perseveringly as herself, yet most of them could number some two or three victims whom they had ruined, and many of these had been induced to the actual commission of crime.

It may be said that the history of her life given to us by this woman is a gross exaggeration—that it is no way possible that one woman could have ruined as many as thirty-two young men,—that she was animated by the same feelings which often induces thieves to exaggerate their exploits, and to boast of deeds that it is impossible they could have committed. It may be so. We do not pretend to have the power of judging the secrets of the heart. She cautiously avoided giving any particulars by which we could test the accuracy of her story, on the alleged ground that it might lead to the discovery of her family, which she desired to shield from all participation in her disgrace. She was so far reduced by disease that there was no possible hope of her recovery, and she fully expected to die in a few days. She appeared thoroughly penitent, and seemed to mourn her sins with real contrition. Under these circumstances we could not withhold our belief in the truth of her story. Be this as it may, it seems clear that these women have the desire for vengeance, and if they are not successful in seducing young men to the commission of crime it is not from lack of opportunity, and not from want of will to do so.

When we remember that in the city of New-York alone there are *fourteen thousand* prostitutes, and a proportionate number in the other cities of the State, we may arrive at some approximation to an accurate idea of the amount of crime in this State, which is caused directly by the vice of licentiousness.

3d. Theatres are sources of crime. Without pretending to decide whether theatrical exhibitions may not be so arranged and directed that they will not injure society or even subserve the purposes of schools of moral training; nothing is more certain than that as at present conducted they are fearful nurseries of crime. They operate both directly and indirectly to produce this

Thirty three years since by no means

Profr. Ind. No. of a New York City

result; they are themselves active causes of crime and they are the avenues which lead to other sources of crime.

Directly, they fill the minds of youth with impure morality, making vice attractive, and virtue ludicrous. Actors and actresses are generally notorious for the looseness of their lives, their society being eagerly sought by the frequenters of the theatres, the latter are gradually but certainly corrupted.

They tend to disgust the minds of youth with the sober pursuits of honest industry. The tinsel glitter, the radiant lights, the mimic kings and queens, the nobles and heroes of the stage, dance like phantasmagoria before the mental vision of the votary of the theatre. He is haunted at every turn with the memory of the luxurious revels, the obscene allusions and the many jests of the previous evening, and these quite disqualify him for that earnest attention and willing activity which are essential for success at the merchant's desk or the mechanic's bench. As the mania for the theatre grows upon its victim, as it is almost sure to do, he grows more and more neglectful of his duties, and more and more despises the homely details of every day life, at length he loses his situation or falls in business, and is cast adrift on the community. Unable to abandon the source of his pleasurable excitement to the drunkard or the opium eater, he still frequents the theatre, and of course incurs all the expenses incident to the indulgence. His income being stopped these soon exhaust his exchequer and he resorts to forgery, or passing counterfeit money or some other unlawful means of replenishing it, until the State relieves him of the necessity, by providing him quarters in a prison. That such is the routine run through by great numbers of the frequenters of theatres is asserted too frequently at the doors of our prison cells to leave its truth any longer a doubtful matter. That theatres are frequented by prostitutes, that they are supplied with bars, that they are recognised houses of assignation, and possess all the worst attributes of the grog shop, requires no demonstration here, their apologists are obliged to confess that they are vestibules of the brothel and the grog shop, nor is it more doubtful that these habitual frequenters gravitate towards these places as naturally as the stone to the bottom of the well.

4th. Gambling houses and lottery offices are sources of crime. Out of 975 prisoners at Auburn, 317 were habitual gamblers. Out of 962 prisoners at the eastern penitentiary at Philadelphia, 19 attributed their first introduction to the paths of crime to gaming and lotteries, how many were accelerated in their career commenced by other causes is not stated. Out of 156 prisoners in the state prison of Connecticut 53 were gamblers. Rev. G. Smith, chaplain of the Connecticut State prison, testifies as follows: "Many prisoners hasten their ruin by buying lottery tickets, but rarely is one known to commit crime when he has money in a savings bank.*

Two classes of men are found in gambling houses, viz: sharpers and their dupes. The first of these are sometimes victimised by their superiors in cunning, and having long since cast off all the restraints of virtue, they make no scruple of resorting to robbery, forgery, or even to murder, to recruit their finances. The latter class are skillfully prepared for these avocations by the peculiar education to which they are subjected. The secrets of gambling houses have been so thoroughly exposed by Green, the reformed gambler, that their peculiar influence in producing crime is now well understood. As with grog shops, brothels and theatres, there is an infatuation connected with gambling, which, gradually fastening on those who indulge in it, disenables them to escape from the habit, however much they may desire to do so.

They work an almost total paralysis of the moral powers while they stimulate the selfish propensities to the highest pitch of tension; so that, not merely in extraordinary, but in the most ordinary cases, the gambler, with entire intellectual appreciation of the magnitude of the interests involved, of the extreme hazard of the result, and the overwhelming ruin that will ensue from ill success, will stake all that he is worth in the world, the watch in his pocket, nay the very clothes upon his back, rather than renounce the gratification of this overmastering passion. In case of failure he is compelled to resort to crime for his very subsistence, at first most reluctantly, and with great violence to his feelings; but fa-

* Twelfth Report Prison Discipline Society, Boston.

miliarity soon inures him to its commission, and the ruined gambler, by an easy and natural transition, soon becomes an expert and daring criminal.

5. *Our common jails* are fertile and disgraceful nurseries of crime. In speaking of the preceding causes of crime, we have felt that each reader would recognise a reflection of his own individual conclusions; we have only given a clear expression of facts of which every one has been dimly and obscurely conscious. The very keepers of these dens of corruption readily acknowledge them as schools of wickedness, where the scholars naturally graduate in crime. It is otherwise with regard to our common jails; few of the community are aware that the costly erections for which they have been taxed so heavily, and which they have been accustomed to look upon as fortresses to beat back the hosts of iniquity, are in reality fertile nurseries of those very evils which they were designed to eradicate or repress.

We cannot give the statistical details of the amount of crime engendered by our common jails, nor is this necessary. Many years experience in prison matters has convinced us that there are few single causes of crime more fertile than the one now under consideration; nor has it escaped the attention of other careful observers. Miss Dix says, "If it were the deliberate purpose of society to establish criminals in all that is evil, and to root out the last remains of virtuous inclination, this purpose could not be more effectually accomplished than by incarceration in the county jails, as they are, with few exceptions, constructed and governed." Of some of the county jails in Pennsylvania, she thus speaks: "At York the prisoners were promiscuously associated, men and women. At Franklin county, all ages, colors, and degrees of offenders associated. At Washington county were congregated the old and the young, the black and the white, men, women and babies; at Beaver county, the prisoners were together, a child, the middle aged, and the men of gray hairs; at Bucks county, two men and two women committed for immoralities, all occupy one room by day; at Chester county, two males and a female all of them together." With the exception of confining women and men together, which we have never seen out of Pennsylvania, the

above description will apply to New-York and to the other states of the Union.

A Boston newspaper contains the following extracts from the sermon of an Unitarian minister: "He spoke," says the reporter, "more particularly of the neglect of the comfort of the prisoners in the county jails: the herding together of all classes of criminals in close damp cells; and shewed that in a majority of cases, the prisoner, instead of becoming a reformed man under such a careless system, was made a greater foe to society than he was before his deprivation of liberty. He instanced the county jail at Alfred (Maine) in four small cells in which fourteen prisoners were confined—boys of sixteen years of age being thrust into the company of the hardened criminal, thus learning in the prison, deeper lessons in villany, and defeating what should be the object of all punishment, the reformation of the delinquent. It is moral murder to thrust those who have slightly strayed from the path of virtue, into the same cell with those who have grown gray in crime."

From a very excellent article in the Pennsylvania Journal of prison discipline, vol. 3, we quote the following statements. The British inspectors for the home district in their first report enumerate among the unavoidable evils arising out of the indiscriminate associations prevalent in our common jails, "blasphemy, obscenity, demoralizing intercourse, profane jesting, instruction in crime, boasting of criminal adventures, gambling, combinations to defeat justice, concerted efforts at escape, conspiracy to effect future depredations, and many others." They further speak of idleness, quarrels, and the impediments in the way of moral and religious instruction; and the exposure of the innocent, even before trial, to the same influences and the same form of punishment as the guilty. In their third report they say, "the comparatively innocent are seduced, the unwary are entrapped, and the tendency to crime in offenders not entirely hardened is confirmed by the language of the suggestions, and the example of more depraved and systematic criminals." The French Minister of the interior thus spoke to the legislature of his country in 1810: "It is in this prison that criminals make their first appearance; from the inex-

perienced youth, the very child, even, whom a first or trivial offence, and one in which he has been a forced accomplice, brings before the tribunal of justice, to the hardened old man who is destined after a long series of convictions, to find a tomb in the galleys. It is in this class of prisons that is unceasingly accumulated that population of dangerous idlers, of consummate malfactors, of intrepid villains who form the dregs of every community. They are the first and most fatal schools whether of vice or crime; and he who once enters them for any offence, too often goes out more depraved to appear before his judge. Sad contradiction to the law! The *precautions* of justice become a source of corruption, the prison *makes* criminals; under the very eyes of the magistrates, it develops the germs of future crimes.

The Inspector General of French prisons, styles these institutions anti-social clubs, haunts of malfactors, public houses of convicts and accused, of vagrants, assassins, robbers, prostitutes, &c., who from every quarter are associated by the ties of confederacy in crime." Again, "To unite in a common enclosure all the inmates of a prison, is to put into fermentation, in an impure vessel, all the bad thoughts and bad actions which are engendered by mutual corruption." Again; "In these places, crime is recruited, nourished, strengthened, and multiplied. The bad man becomes worse, the honest man becomes criminal, the sceptic becomes impious, the delinquent becomes a robber, the established villain more perverse, the debauchee more shameless, the depraved more corrupted, the scholar in crime takes a master's degree. In fine, all that a prison can beget of physical or moral degradation, of persistence in evil, of vice, of crime, of all kinds of unlawfulness, has its explanation and its cause in the melancholy signification of these words,—*association in prison.*" The Boston Prison Discipline Society, in their first report say, "An acquaintance formed in prison has led many a youth to houses of ill fame; to a familiarity with the names, places of abode, principles of trade and language of counterfeiters; to the arts of pick-pockets and thieves; to dangerous combinations in villainy; and to personal degradation which the most hardened prisoner has blushed to name."

The visitors of the Baltimore city and county jail, in their special report made in 1845, after referring to some of the evils above mentioned, say, "The mother who, perhaps to preserve her little orphan family from want, has committed a first offence, is confined with the most abandoned of her sex; or the virtuous and sensitive daughter and sister, who, by her industry, and almost unceasing toil to procure a mere pittance, has preserved her mother and younger brothers and sisters from want (and there are many such in our city), on suspicion of having violated some law of which she is innocent, is thrust into companionship with the lewd prostitute, is degraded in her own estimation, and becoming corrupted, is made worse than when committed."

We have visited the jail at Baltimore, and fully concur with the visitors in believing that the ingenuity of man could not, if tasked to the utmost, devise a more perfect means of concentrating and diffusing corruption than that jail affords. It consists of large rooms, each of which is filled with the most degraded and disgusting creatures, mingled with novices in crime. One of the largest and strongest of these rooms is called the "rogues' harbor," where the most expert rogues are mingled with young men, and sometimes with boys. Here they eat, cook and sleep in common, and here all the mysteries of iniquity are disclosed by adepts in crime to tyros in the profession. The arts of jail breaking, burglary and pocket picking, shop lifting, coinage, passing counterfeit money, the localities of receivers of stolen goods, &c., are described and illustrated with diabolical minuteness, so that the raw youth, who had been committed, perhaps, for the violation of some municipal ordinance, leaves the prison a thorough rogue, with the disposition and the ability to prey successfully on society.

Our own association in their report for 1846 say, "Opportunities for mutual corruption are multiplied and fostered, and the honest unfortunate, who, in a thoughtless moment, may have committed some disorderly act, or the merely suspected may be here subjected to the contaminating influences of evil associations, and which added to the odium almost always attaching to imprisonment, is, in many cases sufficient to morally debase, de-

grade and corrupt him." * * * "So injurious in its consequences is the present system of imprisonment, that, with many doubtless good men, it is a question whether the interests of society would not be equally subserved by its entire abandonment as by its continuance under its present organization." In 1832 the Inspectors of the Eastern Penitentiary presented to the Legislature the following statement of their warden respecting local jails. "In these establishments scarcely any classification is attempted, and no effectual separation is made, discipline is neglected, corruption increased, reformation is hopeless, and many most flagrant abuses are known to be practised without any mitigation. Convicts received by us from such county prisons may, indeed, frequently be reformed by our disciplines. The lessons of vice they have learned, when placed in confinement, which the law intended should be salutary, may sometimes be eradicated afterwards; but the great, the irremediable evil has already been effected. The persons, &c., of such convicts are known to the great community of rogues, and, therefore, even if their reformation be effected, when discharged from our penitentiary, too many obstacles to their commencement in the pursuits of honest industry, may, and probably will be encountered by them. Hence, our institution cannot produce all the advantages of which it is susceptible, until the county prisons are reformed by the same plan of separate confinement, &c., which we pursue. If an inquiry into the condition of these prisons could be made, by order of the Legislature, I am confident the remarks I have made would be substantiated, and that many important benefits would result from such an inquiry, is the opinion of some of our most intelligent and humane citizens."

Again, in 1833, the same officer says, "I am fully aware that most of the county jails are not fit receptacles for the confinement of prisoners. The information obtained during the past year fully confirms the opinion expressed in my last annual report, and I know no subject whatever requiring more imperatively legislative action than the condition of our county jails. An inquiry authorized by them would elicit startling and appalling abuses that ought to be known to the community, and which require only to be known in order to receive the just censure of the public, and a prompt and thorough legislative remedy."

We might continue to add testimonials from those most competent to judge to the crime producing agency of our common jails, until the patience of the reader was exhausted, but we forbear. Enough has already been said to satisfy those to whom the subject is, for the first time, presented, that there are evils connected with the construction and administration of our common jails, of which they had previously no conception, and which call loudly for a prompt and adequate remedy.

In view of the deleterious influence of these prisons, it is most distressing to consider the large numbers on whom they operate. We have no means of fixing with entire precision on the number of persons who annually pass through our common jails, but we have ascertained that not less than 35,000, and probably a much larger number every year are locked up within them. It is absolutely frightful to contemplate the germs of crime which must be thus implanted in so many minds, most of which are so well prepared to receive them.

We once visited the jail of Columbia county and found among the inmates a boy of fifteen years old who had been put there for a breach of some corporation ordinance, we believe it was firing crackers in the streets; he was undoubtedly a bad, mischievous child, but he had never dreamed of committing a crime. A few months afterwards on visiting the same jail, we found him there again, and on enquiring we learned that an old burglar who was in the jail at the time of his first confinement had taken a fancy to the lad and inflamed his mind with images of the free and easy life that men of his profession led, their exemption from labor, the magnitude of their gains, and the pleasure they had in spending them. When he had fully succeeded in rousing the boy's ambition to enter a career of lawlessness and crime he taught him all the details of lock-picking and pocket picking, taught him how to elude the watchfulness of house-keepers and store-keepers, how to dispose of troublesome dogs, and how to conceal and dispose of stolen property, thus in a few short weeks a wild boy through the agency of a common jail was ripened into a bold and consummate rogue, whose life was fully dedicated to the work of preying on the property and perhaps the lives of his fellow men.

Most certainly a warning to [?]

On leaving the prison the burglar furnished him with a letter to a confederate, and together they soon planned a burglary, the boy entered the store, the other remaining outside to watch, but before he had secured his booty the proprietor entered the store through a private passage and secured him, while his confederate escaped, and he was now in jail waiting for his trial which was certain to end in conviction. Thus a poor widow was robbed of her son, and that son in all human probability was consigned to a felon's death, and a felon's eternity.

Visiting a jail for the purpose of distributing tracts we saw a man with a fine intellectual head and face, but who, as the first glance assured us, was in the last stages of a consumption. We saluted him kindly and offered a tract for his acceptance. He thanked us, but remarked that it was quite useless as he knew it by heart. We offered him several others, but he made the same reply. At length we offered him a tract called the Dairyman, this he had never seen, though he was quite familiar with the dairyman's daughter, and he thanked us very cordially for it, as he was curious to read it in connection with the other. We remarked to him the surprise we felt that one who evidently understood the theory of the gospel so well, should have so far forgotten its precepts, as to come to the position he was in. He replied in the coldest manner imaginable, that he was a fool who attempted to decide on any question until he had thoroughly examined it; he had thoroughly examined the claims of the gospel and fully proved it to be a cheat; he had commenced life a ranting methodist, (such were his words) for ten years he had been a preacher, and having found both God and man to be alike execrable tyrants, he had established his independence of both and was determined to bow to neither so long as his life remained. There was a stove pipe ran along the wall of the jail horizontally along the upper windows; a board was run out from the rails of the upper gallery to this pipe, and he was accustomed to sit on it holding on to the bars of the grating; one day a tremendous thunder storm occurred while he was sitting there; he squared his fists at the heavens and dared the Almighty to strike him, just then the house next to the jail was struck, and shivered by the

Capt. Boy Barney Douglas

Black woman in jail.

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lightning, instead of exhibiting terror, he told the Almighty he was a coward and dared not strike a heart too brave to fear him. The prisoners were so terrified by his profanity under such circumstances, that they ran in a body to the jailor beseeching him to remove him to his cell.

He had once been to Sing Sing prison and declared that he never would be taken there alive, just before he expected to be taken there he swallowed a vial of laudanum which he had surreptitiously procured, but a timely application of the stomach pump prevented any material mischief. On the day which had been fixed for taking him to Sing Sing, the sheriff entered his cell at midnight for the purpose of putting on his irons, and thus securing him from suicide, but he awoke, and at once designing their purpose he seized a bottle of elixir of vitriol which was hanging in his cell, and swallowed its contents; but the stomach pump was again promptly resorted to, and he was saved; he was taken safely to the prison and died soon after.

Three young men were in jail for minor offences at the same time with him. One of these entered the army and was killed in the Mexican war, the other two became burglars and are now, or lately have been inmates of the State Prison. While he was in jail he delivered daily lectures of robbery and cheating, boasting of his plans, and the success that had attended them, he scoffed at all obligations of honor or gratitude, or religion, and boasted of making his largest hauls (as he called it,) out of his greatest benefactors. While there he developed ingenious plans of fraud in all their details, which all the rest of the prisoners put together would never have thought of otherwise in their whole lives, and the result of his teaching we have seen above. We have frequently since, met with the traces of this man in other jails and penitentiaries, many of the prisoners having ascribed their first introduction to the paths of criminality to his teaching and example.

We once met with a man in the eastern penitentiary at Philadelphia, who ascribed to a residence in the old Walnut street prison of that city his subsequent career of ignominy and crime. He belonged to a very respectable family in Virginia, was edu-

Original Crime School, Jail, District Penitentiary

cated for a lawyer, and being endowed with brilliant talents, bid fair to pursue an honorable and elevated career. He entered with great zest into the pursuits and amusements of the society of Richmond, and soon acquired the habits of hard drinking and deep play. Going on one occasion to Philadelphia on some law business he played deeply, and lost all his money at one of the gambling houses in that city. Furious at his loss, and maddened with wine he got into a quarrel with a comrade which resulted in blows, and finally, he nearly killed his antagonist, for this he was arrested and thrown into prison, here he was surrounded by the vile and worthless who spared no pains to induce him to enter a career of crime, they told him that he could go nowhere but that some of the prisoners would know him, and disclose to the public that he had been a prisoner, that he would therefore be hunted from respectable society and unable to procure a livelihood by honest means. They knew that he might be of great service to them from his genteel address and admitted talents, and that his legal knowledge would shield them from many difficulties. They promised that they would procure him wealth and stick by him to the last if he would join them and give them the assistance they required. Shame, remorse, the fear of being repelled by his former associates, the dread of being unable to procure a living by the honest exercise of his profession, finally overcame his scruples of honor, and his repugnance to associate with the miserable gang who surrounded him, and he commenced his career of crime, at first he was successful, but an increasing love of drink blunted his faculties, he could no longer escape detection and, as he assured us, he had been confined in half the prisons of the United States. He expressed to us his full belief that if he were liberated immediately he should be in some prison again in a month. If he had been confined in a separate cell on his first incarceration, he believed that he would have gone out a better and a wiser man. That was the crisis of his fate, (in his opinion) and as it was, he was ruined forever.

We must close our narrative of the instances where our jails have proved nurseries of crime under our own observation, here. We hope they will be found to illustrate the practical working of

the system, and arouse the leaders of public opinion to strive earnestly for its alteration.

Even if no persons but those who had committed some crime though ever so trivial, entered our jails, the abolition of the system would be imperatively called for, but very many who have committed no crime whatever, are confined in them. Subjecting such as these to the unhallowed influence of our jails, is moral murder that must call down the just judgment of heaven. We cannot state precisely the number of persons who are annually committed, not for crime but as *witnesses* against those who have committed it; but from the best information we can obtain we think it cannot be less than fifteen hundred.

We have known many heart rending cases of moral distraction arising from this source, but we will only relate a single instance as a sample of the rest. A young man of respectable parentage, and of unimpeachable character, was committed to the Leverett street jail in Boston as a witness in relation to some difficulty which had occurred between the captain and some of the crew at a foreign port. Without books or employment or any other source of rational amusement to beguile the weary hours, being naturally of a social and affectionate disposition, and having literally fallen among thieves, he formed a warm attachment for them. After his liberation he again fell in contact with them, and was introduced by them to a corrupt, but most fascinating woman, who under their direction, entirely ruined him: first by robbing him of all his earnings, and then by inducing him to engage in a series of felonies, for which he was subsequently convicted on information furnished by her, and sentenced to seventeen years imprisonment in the State prison.

Witnesses are not the only *innocent* class of prisoners exposed to the contamination of our jails. A large proportion of those who are committed are innocent of the crimes laid to their charge at least they are *legally* innocent and many of them morally innocent. By reference to the annexed table marked A and also to the table on the eighty-first page of the fourth report of this association marked A, it will be seen that 31,599 persons were tried

My notes (see documentation in fact.)

in the courts of record of the State of New York, in twelve years, of these only 17,743 were convicted, leaving 13,856, or forty-four per cent. who are either discharged without trial or acquitted by the jury. If we assume, as we may safely do, that the same proportion of (at least) legally innocent persons are tried in courts of special sessions and police magistrates, we have a total of 15,400 innocent persons exclusive of witnesses, who pass through the corrupting ordeals of our jails. We have not enumerated this wholesale system of false accusations in our list of the sources of crime but it is easy to see that it is one, independently of the exposure to corrupt associations in the jails to which it subjects them. Public accusation of crime and incarceration in a jail necessarily tend to destroy that pride of character which all experience shews to be one of the most efficient safe guards against crime, and one of the most powerful incentives to virtuous conduct, especially among that class of persons from which the ranks of crime are most usually recruited. There is no surer way of making a child a liar than to evince habitual doubts of his veracity. There are no more certain means of destroying the chastity of a woman, than by constantly casting imputations on her virtue nor is there any process by which an honest man is more frequently converted into a thief than by destroying the confidence of the public in his integrity.

No matter how clearly the innocence of the accused person may be established on the trial, he carries the taint of the jail wherever he may go; his equals treat him with scorn; the very school boys cry *jail bird* as he passes along; the farmer declines his services when he asks for work, and eyes him cautiously while he stays upon his premises, lest he purloin some proportion of his property. How can a man whose only capital is his labor bear up under such a pressure? His only resource is to rob or starve; and for a crime which the law virtually compels him to commit, it punishes him by sending to long years of labor in its prisons. Surely, enlightened legislators cannot much longer overlook the crime producing tendencies of our common jails.

6th. *The circulation of pernicious books* in the community is a fruitful source of crime. Good men for ages have lamented the

desolating effects of a depraved literature; but that literature has never been so easily, or so systematically diffused as it is at present. This wide diffusion is mainly owing to the cheapness with which books are printed and the extraordinary increase of locomotion incident to the improvements in steam boats and railroads. It requires some effort, adequately to grasp with the mind the immense number of these conveyances which are hourly flying in every direction over the surface of the country. Lines of railroad radiate from the great centres of traffic like spiders webs, and embrace every section in their grasp. There were over half a million of passengers carried over the New Haven road last year, and it is believed that there are about sixteen thousand miles now in operation in the United States. Dividing this length by seventy-six, which is the length in miles of the New Haven railroad, we have equal to two hundred and ten roads in the United States of the same length. Assuming that each of these roads carries one fourth of the passengers who passed over the New Haven road in a year, we have a total of twenty-six millions two hundred and fifty thousand passengers transported over the railroads of the United States in one year. If one in ten only of these purchase a book at the depot or in the cars to while away the time, it will cause a circulation of over two and a half millions of volumes annually, without taking into account those that are sold on steamboats and other places of public resort. A very large proportion of the works thus sold are of the worst character, they appeal to the worst passions of the heart, and minister to the most morbid appetite; the heroes are pirates or banditti, and the heroines, though devoted in their love are generally most easy in their virtue. By investing robbers and assassins with generosity and heroism, and bawds with tenderness and grace, the youthful reader is taught to look on their crimes, not only without abhorrence, but with actual complacency, and loosing their hatred of crime, they fall too easily into the practice of it. Most of these works tend most powerfully to stir up the sexual appetite in the young and sanguine of both sexes. Abstaining from actually obscene words, there is a constant inducement of obscene allusion which rouses the passions more fiercely than any direct expression ever does, and when the secrets of brothels are investigated,

it is found that these works have operated more powerfully than any other cause to recruit their ranks. One of the most discouraging symptoms of the present day, is, that the most disgustingly licentious books and pictures are now vended in the most unblushing manner at steam boat landings and railroad depots.

Those who most frequently search the trunks of convicted criminals are almost sure to find a collection of these works in them, and few prisoners fail to enumerate among the causes of their lapse into crime, the unhealthy stimulation of this pernicious literature.

7th. *Orphanage* is an unsuspected but extensively prevailing cause of crime. The table annexed, marked D., and the table on page 82 of the fourth report, also marked D., exhibit the connection of orphanage and crime in the State of New-York during a period of twelve years. From these it appears that of 11,510 convicted criminals, 7,239, or 62 per cent were orphans, or half orphans. In Pennsylvania, 515 out of 962 prisoners were virtually orphans—that is, 375 were actually so, and 140 were sent away from home in early life, and thus being deprived of parental care, when parental guidance was most needed, they may be legitimately classed as orphans. In Maryland, out of 537 prisoners, 260, or 48 per cent, were orphans. The statistics of our State prisons also concur in showing that of the criminal half orphans, a much larger proportion had lost their fathers than of those who had lost their mothers.

From these facts it is evident that orphanage is preparation for crime; even in their absence we could scarcely doubt that it would prove so. In order to secure respect for the laws, and respect for the rights of others, previous education and restraining discipline are absolutely necessary, and this training is rarely received except under the paternal roof; here, if at all, the child must be taught as only parental love can teach him, to curb his passions, to exercise self-denial, to respect authority, and to render, with scrupulous fidelity, to every one his due.

Even if the orphan child happily falls into the hands of those who are conscientiously disposed to lead him in the right way,

he will not receive their rebukes, their restraints, their corrections, as though the efforts were directed by the arm of parental love. The effort for his correction calls up all the latent energies and all the independence of his nature. The well-intended restraint is converted by the black alchemy of passion into ill-natured tyranny, which seeks to rob him of his pleasure merely to gratify his guardian's love of power.

But rarely does the orphan child fall into the hands of a truly conscientious guardian; there are very few who do not content their consciences with the care of the ward's *property* (if he have any), while they leave the control of his *thoughts and feelings*, and actions, to the blind operations of chance. The great majority of orphans, however, do not enjoy, even nominally, a guardian's care. There is, in these cases, no property to take care of, and the bereaved child is left to the cold charities of reluctant relatives, or the still colder hospitalities of the Alms house, where every evil weed is left to grow in unchecked luxuriance, while all the tender plants of virtue are choaked beneath their shade. The bible tells us to "train up a child in the way he should go," and adds the consoling assurance, that "when he is old he will not depart from it." If conscientious guardians meet with so much difficulty in their efforts to train the children committed to their charge in the way that they should go, what can be expected of the future career of the child, who, under nominal guardianship, is left to grow up according to the corrupt and unchecked counsels of his own will? Whether such lack of proper training arises from the want of guardians, or from neglect of parental duty, such a child will become a cancer spot on society, and repay, by crime, the neglect of early culture.

8th. *Insanity* is a cause of crime. This is a subject which is only beginning to attract attention, even from those who professed to make the subject of crime their study, and which is almost entirely unknown to the public in general. The plea of insanity which is often set up by the prisoner's counsel is looked upon with the utmost disfavor by juries, and by the public in general, being considered as almost equivalent to a confession of guilt. The reason of this general disbelief in insanity as a cause of

crime is, that in a great many, perhaps the majority of cases, the derangement of the intellect is confined to one single subject, while on all others the criminal may evince a very high degree of shrewdness and clearness of intellect. It is not easy for those who have been unaccustomed to watch the protean forms of insanity, to understand why a man who evinces the most marvellous ingenuity in planning all the details of a murder, should be utterly irresponsible for the murder or the robbery itself; the power of mind which was evinced in the plan they think is amply sufficient to reveal to him the iniquity of the crime, and make him responsible for its commission. Yet nothing is more certain that there are many cases where a man may be so decidedly insane on one particular point as to preclude all idea of his responsibility, while on all others no insanity can possibly be detected, as is proved by the following case taken from one of the English law reports. The friends of the gentleman applied to the Court of Chancery to declare him incompetent to manage his property on the ground of lunacy. Lord Chancellor Eldon examined the gentleman for six consecutive hours in relation to every conceivable subject, without detecting the slightest mental aberration; on the contrary, all his answers showed the rarest intellectual culture, and a strength of judgment rarely equalled either at the bar, or within the walls of parliament.

As the Chancellor was about dismissing the case, a gentleman whispered a suggestion that he should question the respondent with respect to the person and offices of our Savior. When questioned by the Chancellor, "Who was Jesus Christ?" He answered with the greatest solemnity, I am he! and at once burst out into a rhapsody on his supposed celestial functions, that entirely satisfied every one of his insanity; and the Chancellor, without hesitation, decreed accordingly. This case shows quite conclusively, that a man may be insane enough to be utterly irresponsible for his actions, and yet exhibit wisdom, and intellect, and judgment enough in many things to place him far above the ordinary level of common humanity. I have seen an insane man who would reason with the utmost accuracy on the obligations of justice and humanity, and was as skillful in the application of

the rules of morality to the ordinary intercourse of man with man as Archdeacon Paley or Dr. Chalmers; yet, under the hallucination that he himself was God, would violate every rule of rectitude he had so clearly enforced, and when reproached with the discrepancy between his precepts and his practice, he defended it on the ground that he was the Sovereign of the Universe, and was not bound himself by the law it was his pleasure to impose upon others.

There cannot be a shadow of doubt that many crimes are committed under the influence of insanity, and many insane persons are annually committed to prison.

Miss Dix, in her memorial to the Pennsylvania Legislature, says, "I have said, that within two years twenty-seven insane persons have been committed to the Eastern Penitentiary, charged with various crimes. The history of many of these I have traced. I have resolved that no labor shall be spared on my part in bringing facts to light. The testimony of medical men, and the opinion of intelligent citizens throughout the State, acquainted with these cases, having had them under their care as patients, settle these cases definitely. Men having been known to be insane for years, committing recent crimes, still under the influence of insane delusions, are, every month, tried, condemned and sentenced, precisely as if they were in possession of a sound mind, and were responsible for their speech and deeds. The fact of their known insanity, is often recorded in the books of the prison, by the officer who brought them there.

Dr. Given, formerly assistant physician to the lunatic asylum Blockley, and subsequently principal physician of the Eastern Penitentiary, and better fitted, by nature and acquirements, for a prison physician, than any man we ever met with, writes as follows: "Those who are acquainted with the Protean nature of insanity, its often slow and insidious invasion, and frequent development in the passions and moral sentiments, long ere the intellectual faculties show any signs of disturbance, will readily acknowledge how difficult, nay, how impossible it is, in many cases, to pronounce, with any degree of certainty, upon the actual

[Assembly, No. 149.]

state of a prisoner's mind, when first admitted; for, if the incipient stages of the disease have frequently escaped for several months the detection of intelligent relations, in daily contact with the patient, (the experience of physicians, connected with insane hospitals, furnishes many such instances,) is it not possible, or indeed very probable, that acts are frequently committed under the influence of mental derangement, which is not fully developed, until the sufferer may have been long in confinement, as a punishment for his so called crime?"

There are very many of the class of cases alluded to by Dr. Given, to be met with by the careful enquirer, where the insanity manifests itself, not apparently in a deranged intellect, but in an entire obliteration of the moral faculties; sometimes, this condition is congenital, and sometimes arises in after life, but, in either cases, it arises from bodily disease or physical malformation; it sometimes exists in a latent state, producing copious harvests of crime, before the insanity of the intellectual faculties is clearly manifested, but this is pretty sure to become patent sooner or later.

Two examples of this species of insanity, which I met with at the pauper lunatic asylum at Boston, under the care of Dr. Steadman, may serve as types of the whole class. One was a boy of 14 years of age, in which this moral malady existed from birth, and was obviously due to a malconformation of the head; he was intelligent and ingenious, but had an irresistible propensity to every species of iniquity. His swearing was awful; he loved to torment dogs and cats, and every species of animals; crucifying frogs was a most favorite amusement; indeed he took the most vivid pleasure in causing suffering to others; he had not the slightest sense of gratitude, and would injure his best benefactor with the same relish, that he would his bitterest enemy. No punishment, however severe, could deter him from wickedness; no coercion could restrain him, but he seemed driven on to commit depredations on individuals and society, by an internal mysterious power, which could not be controlled or resisted; yet, his intellectual faculties were not perceptibly impaired, nor could

he be distinguished from other boys of his age and class, except by his great moral depravity.

The other case was that of a young woman who, up to her twentieth year, had been the charm of her father's house. At this time she was suddenly deserted by a young man to whom she had been engaged, which plunged her into a profound melancholy, during which her bodily health suffered severely, and the premonitory symptoms of her moral malady began to exhibit themselves. When I saw her, her derangement had lasted five years without the slightest symptom of improvement. She had no illusions, her intellectual faculties were as clear as possible, but her conduct was that of a fiend rather than that of a woman; when I presented myself before the grated door where she was confined, she flew at me with the ferocity of a tigress, and absolutely tore the flesh from her arms in vain attempts to strike me, and when she satisfied herself that she could not vent her rage on my person, she screamed with the most unearthly energy, until her power of audible utterance was completely gone.

At the State lunatic asylum at Utica I saw a man who, I was informed by Dr. Brigham, had gone through all the stages of moral insanity, and was now equally deranged in his intellect. He had formerly been an industrious worthy man, a good husband and father, and a useful member of society. He grew gradually morose and vindictive, and finally became a pest to the neighborhood. He had assaulted and beaten one of his neighbors with brutal severity, for which he was bound over to take his trial at the next court; this offended him exceedingly, and as a mark of his displeasure he procured a tiger skin, and assumed the name of tiger. When the day of trial came he harnessed a jackass to a crockery crate, and rode into the court room dressed in his tiger skin; for this he was committed to prison for contempt of court. That night the jailer was alarmed by a cry of fire from the other prisoners, and on going into the jail, he found that Tiger P—— had set fire to his cell, which was not extinguished until he was severely burned. This conduct induced the authorities to inquire into his sanity, and on examination by Dr. Brigham, he was pro-

nonned insane, and sent to the asylum. In this case, crimes which were universally supposed by his neighbors to be caused by his extreme and voluntary wickedness, being especially moved and instigated by the devil, and which imperatively demanded vindictive punishment, were eventually proved to arise from a diseased liver, for the removal of which the exorcisms of the priest and the jailer were alike inefficient.

There is another class of cases where insanity produces crime, in which the criminal act is the sole excuse of the lunacy. An illustrious English duke, now living, is in the regular habit of stealing the spoons and forks from the tables of his entertainers, yet he is as noted for his princely liberality as for this degrading habit. His family keep a strict watch of his pockets after such entertainments, and always abstract the purloined property, and restore it to its lawful owners. He never inquires after the articles, the sole motive of the theft being the pleasure of taking.

I was informed by the police of Philadelphia that thirteen ladies, connected with some of the most respectable families in that city, were known to them as having this irresistible propensity for stealing from the stores they frequented. The fathers or husbands of these ladies had all left standing orders at these stores to charge them with whatever their wives or daughters purloined, and in this way the cases were prevented from coming under the view of the courts. At Baltimore I was informed that five ladies with this propensity were known to the police. At the female prison at Sing Sing I was informed that some of the prisoners could not be prevented from pilfering from each other's cells articles which could be of no possible use to them, which would certainly be discovered in their possession, and as certainly procure them punishment, but all this was insufficient to control their propensity for thieving; they could no more refrain from it than they could from breathing.

There is another form of insanity, the existence of which is known to very few, and which I have reason to believe is more prevalent than is supposed by those who are best aware of the mental disorder.

This form of insanity is technically called Pyromania, and consists in an uncontrollable passion for burning. The case of a boy of sixteen years of age that I saw at the Eastern Penitentiary, will serve as a type of the class.

He had been previously twice committed to the House of Refuge for arson, and in two hours after his liberation from thence he committed the offence, on which his present conviction was founded. Were he liberated to-morrow he would undoubtedly repeat the same offence before night. From his cell the sound of the fire bells in Philadelphia can be distinctly heard, and in some quarters of the city the light of conflagrations is distinctly visible, these, always fill him with paroxysms of delight, he dances, sings and exhibits the most frantic demonstrations of joy. He frequently entreats the Warden to set fire to a heap of straw in view of his cell that he may have the pleasure of seeing it burn, and frequently declares that he would be perfectly willing to perish in the flames if he could only see the Prison on fire. In other respects the boy is bright and intelligent, nor had he ever evinced a tendency to any other species of crime.

I am aware that many good men resolutely deny the existence of the insane propensities to crime which I have spoken of above, others while admitting their existence, disapprove of speaking of them in public, lest a morbid sympathy for criminals should be engendered in the public mind, and lest criminals should be emboldened in their depredations, in the hope of escaping from punishment by simulating insanity. We agree with neither of these classes. We are sure that insanity is the cause of more crimes than has hitherto been suspected. And we have no fears that the publication of the truth can ever, on the whole, be injurious, on the contrary we feel a perfect confidence that a more thorough education of the public mind with regard to the influence of insanity on crime, instead of diminishing would greatly augment the safety of the community; the beginnings of mental aberration would be more carefully watched and earlier restrained, remedial agencies would sooner be resorted to, and conduct would be avoided which only exasperates disorder. Nor do we fear that the plea of insanity would be more frequently resorted to, or at all events

more frequently successful. Although it is difficult or perhaps impossible to express in words, any infallible test by which real, may be distinguished from simulated insanity, yet it is easy for those who have had much experience in mental disorders to detect a pretender with all desirable certainty; there is probably no state in the Union, where experts may not be found on whose testimony a jury might implicitly rely. The following quotation from the tenth annual report to the trustees of the Massachusetts State Hospital by Dr. Woodward, ought to increase our reliance on the sagacity of professional testimony in cases where the plea of insanity is set up:

"In this connection, it may not be improper to say, that of all the cases that have come to my knowledge, and I have examined the subject with interest for many years, I have known but a single instance, in which an individual arraigned for murder, and found not guilty by reason of insanity, has not afterwards shown unequivocal symptoms of insanity in the jails or hospitals where he has been confined; and I regret to say that quite a number who have been executed, have shown as clear evidence of insanity as any of these. In a large proportion of cases, the insane man is desirous to keep the mental alienation out of sight, rather than to present it, while he who feigns insanity generally presents it in caricature."

9th. *Ignorance* is a cause of crime. The condition of criminals in the State of New York, with respect to education is disclosed in the annexed table, marked D., and also in the fourth report of the New York Prison Association, page 82. Information in regard to the education of criminals in England and Wales will be found in the annexed table, marked N. From these it appears, that in the State of New York only sixty-two hundredths of one per cent. of the convicted criminals were well educated, and sixty-eight per cent. could read and write. Of the entire population of New York, ninety-seven per cent. within a very minute fraction can read and write.

In England and Wales only twenty-seven hundredths of one per cent. of the convicted criminals were well educated, and a fraction under ten per cent. could read and write. I have no

reliable means of ascertaining the ratio which exists between the number of persons who are unable to read and write, and the whole population of England and Wales.

In Pennsylvania, of 2,961 prisoners, 1,620 could read and write, 632 could read but not write, and 709 could neither read nor write. Thus fifty-five per cent of the whole number were able to read and write. Of the whole population of Pennsylvania, 96.72 per cent. are able to read and write.

In Massachusetts. We extract the following from the report of the board of inspectors of the State prison, for 1853:

"Out of 491 convicts in the prison on the first of October, 98, or 20 per cent. within a very minute fraction, were unable to read and write, 222 were not more than 22 years of age at the time of admission, of whom three were only 15, fourteen only 16, and 67 not more than 18 years of age. The large proportion of convicts totally uneducated, is a striking illustration of the effect of ignorance in producing crime, and is a decided answer to the happily small class of persons who are fond of declaiming against our institutions for popular, public, and universal education."

Of the whole population of Massachusetts, 97.15 per cent. are able to read and write.

Of 215 prisoners in Connecticut State Prison, 77 or 35.81 per cent. were unable to read and write.

Of the whole population of Connecticut, 98.30 per cent. are able to read and write.

Of 668 prisoners in Maryland State Prison, 252 could not read or write; 92 could read only; 67 received a good English education; 251 could read and write; 6 received classical educations, and 252 attended Sunday schools. Thus it appears that of the whole number, 51.49 per cent were unable to read and write, and only ten per cent. had received a good English education.

Of the whole population of Maryland, 92.82 per cent. are able to read and write.

I have added above to the criminal statistics the proportion of the population who can read and write; on comparing this

proportion with that which the prisoners who can read and write bear to the whole number of prisoners, we are able to learn the influence of ignorance in producing crime ; thus in Pennsylvania, since 96.72 per cent. of the population could read and write, if education had no influence on crime, the number of prisoners who could read and write, ought only to be 96.72 per cent., and the number who could not read and write ought to be 3.28 per cent. ; but in reality only 55 per cent. can read and write. Hence we learn that 45 per cent. of the crime of Pennsylvania springs from 3.28 per cent of the population.

These statements for all the States, and for England and Wales, show very conclusively that a very large proportion of the convicted criminals are produced by a very small proportion of the population, and that ignorance is justly denominated the mother of crime, but it is so in a far greater degree than appears from the above statement.

No one supposes that the mere ability to read and write, acts as a talisman or charm to preserve the possessor of it from crime. If learning prevents crime, it does so in one of the following ways: It is used as a recreation, and prevents men from resorting to grog shops, gambling houses, or other improper places for amusement, or it may help men to get a living, and by removing them from want they are not exposed to the temptation of resorting to crime for a living ; or by reading the bible and other good books they may learn the pathway to holiness, and thus become purified in heart as well as life. If their ability to read and write does not enable them to avoid crime in one or other of these ways, it is obvious that they will derive little benefit from their learning. In our prisons if a man can read, by spelling his words ever so slowly, or can write, no matter how poorly, he is enrolled as being able to read and write, but for all practical purposes they might as well not possess these accomplishments : reading can be no recreation to them, nor can they understand it after they have read it ; it certainly can be of no use to them in a pecuniary point of view, nor can people of this character be expected to derive much benefit from reading the bible or works on religion, in fact they cannot be persuaded to attempt them. The truth is, that

nine-tenths of the prisoners in the United States are ignorant men, who, although they may be enrolled as able to read and write on the prison books, are unable to do so for any practical or useful purpose.

In New-York the table shows that less than three quarters of one per cent of the whole number of prisoners had a good education, and in Maryland only 10 per cent had received an education calculated to be useful to them.

As an illustration of the extreme ignorance of prisoners who are classed as being able to read and write, we offer the following facts: fifty-seven prisoners were committed in one year to the State prison of Connecticut, who were classed as follows: 27 could read and write, 16 could read but not write, 14 could neither read nor write ; 43 of the number, therefore, stood on the prison records as being able to read. These 43 were each requested to spell the words "read" and "write;" only 11 spelled them correctly, the remaining 32 were quite unable to accomplish the feat. One of the best of the readers was unable to tell whether the book of Mathew was in the Old or New Testament.

One of the prisoners at Sing Sing, who was classed as able to read and write, and looked upon by his fellow prisoners as quite a prodigy of learning, presented me with the following original poem, written in a very cramped hand, which I transcribe just as it was spelled in the manuscript :

PRISONERS SUFFERING.

1

Pensiv Lonly hear I wandder
In this dungen I hav ben long
Bound down in chains of Iron
In sadnes I writ this song

2

I heer the sound of human futsteps
Sneeking a Long and very nere
Hes a Keeper Lurking for me
O my hart never fear

3

That Keepers hart is full of vengence
he would Like my flesh to tare
His Looks bespeak his foul intension
Tho my sufferins is not fair

Prisoners Poetry

4

Who calls this the Land of freedom
I cant heer no freedom find
I am a pore afflicted prisoner
And the public are all blind

5

Sad disgrace to human natur
Yet I a prisoner here my part
His that long and dreyr entance
that brakes the suffery hart

6

Guvnor Suard shoes example
brake the prisoners dreyr time
Many yerres a suferin in Prison
Ownly causes the more crime

7

Come drive a bullock to the wawter
You cant not make him drink
So is man when revenge is in him
He cares not for the graves brink

8

I would dream my last harts blud
before a Trens should conker me
Youse me with kindness I am humble
This all here have pliancy see

9

Giv us Christiens like David L Semore
And this prisen is like heven above
He is one that used kindness
And he has the prisoners luv.

This poem, poor as it is and miserable as is the orthography, is nevertheless far above the average ability of those who are recorded as able to read and write.

We do not propose farther to extend our proofs, but we feel a full conviction, that those already offered are sufficient to convince every candid mind, that ignorance is a most prolific cause of crime, and that statesmen and philanthropists can in no way labor more effectually for the suppression of the latter, than by increasing the efficiency of our common schools, and in every way striving to banish the former.

10th. Want of a trade or profession is another source of crime. The tables, marked W, furnish us with most interesting and in-

structive details, confirmatory of the position. From these it will be seen, that men of no occupation, together with laborers, liquor sellers, sailors, boatmen and drivers, neither of which occupations can be called trades, constitute 66 per cent of the whole number convicted in courts of record, and 65 per cent of the convictions in the courts of special sessions. In Maryland 51 per cent. In Connecticut 60 per cent; in Pennsylvania 45.48 per cent of the whole number of convicts.

These statements, without going farther, shew an intimate relation between the want of a trade and the commission of crime; they shew the ranks of criminals are chiefly recruited from the idle and shiftless portions of the population. But they by no means disclose the whole truth. We remarked, while speaking of ignorance as a cause of crime, that it was shewn as clearly in the fact that those who professed to read and write, did it so badly, that is was of no more practical use to them than if they had never learned it. So we are compelled to say, in the present connection, that those prisoners who profess to have learned trades, have in general learned them so badly and hence are so poor workmen, that their trades are of very little assistance to them, in getting an honest living. The ill effects arising from ill learned trades, are so admirable portrayed in the Autobiography of Hugh Miller, the celebrated self-taught geologist, (a book, by the way, that ought to be in every prison library,) that I prefer to extract, rather than to offer any illustrations of my own. (p.p. 225, 6.) "It is not" says he, "uninstructive to observe, how strangely the public are led at times to attach paramount importance to what is in reality only subordinately important, and to pass over the really paramount, without thought or notice. The destiny in life of the skilled mechanic is much more influenced, for instance, by his second education—that of his apprenticeship—than by his first, that of the school; and yet it is to the education of the school, that the importance is generally regarded as attaching, and we never hear of the other. The careless, incompetent scholar has many opportunities of recovering himself; the careless, incompetent apprentice, who either fails to serve out his regular time, or who, though he fulfills his term, is discharged an inferior workman, has very few; and farther, nothing can be

more certain, than, that inferiority as a workman bears much more disastrously on the condition of the mechanic, than inferiority as a scholar. Unable to maintain his place among his brother journeymen, or to render himself worthy of the average wages of his craft, the ill taught mechanic falls out of regular employment, subsists precariously for a time on occasional jobs, and, either forming idle habits, becomes a vagabond *tramp*, or, getting into the toils of some rapacious taskmaster, becomes an enslaved *sweater*. For one workman, injured by neglect of his apprenticeship education, three-fourths of the distress of the country's mechanics and nine-tenths of their vagabondism, will be found restricted to inferior workmen, who, like Hogarth's "Careless apprentice," neglected the opportunities of their second term of education. The sagacious painter had a truer insight into the matter than most of our modern educationists."

I have ascertained by inquiries made of a great number of prisoners that no trades, and trades half learned, cause a vast amount of suffering and crime. The statistics of the Eastern Penitentiary shew the following results. Of 3,043 prisoners, 442 were apprenticed and served through their whole time, 556 were apprenticed and did not serve out their time, 2,045 served no apprenticeship whatever. Of the whole number bound, only 44.29 per cent served out their time, 55.71 per cent did not serve out their time, and of course acquired their trades imperfectly. Of the whole number reported 67.20 per cent never served any apprenticeship, and, if we include the apprentices who have not served out their time, we have 85.47 per cent of prisoners, who have either never learned a trade or learned it imperfectly. I am fully satisfied the evils arising from this source are greater in every state in the union (except the states of Massachusetts, Connecticut and Rhode Island,) than they are in Pennsylvania, and therefore the figures above are considerably more favorable than the general average.

Forty-eight prisoners of twenty-four years and under, were admitted into the Eastern Penitentiary during the year 1853, of these only 1 had been apprenticed and served out his time, 9 had been apprenticed and had left before the expiration of their time, and 38 had never been apprenticed. On these facts, the Inspectors of the prison comment in their twenty-fifth report as fol-

lows: "It is worthy of remark, and suggests serious reflections to the enquiring mind, that of the forty-eight prisoners received during the year, under twenty-five years of age, *so few have ever been taught any useful business*. The proportion admitted, where rudimental education has been cared for, is small when compared with the opportunity to acquire it, afforded to all who desire to embrace it. This subject is becoming one of singular importance. With the enlarged, improving, and almost universal system of popular education, a system extending itself to the doors of every habitation, and munificently endowed, it is to be regretted that any should fail in securing its advantage and benefits. Mental instruction should be so imparted, as to create a desire for the employment of business pursuits. Occupational industry ought to be the consequence of the proper training and discipline of the intellectual faculty. However admirably a school system may be administered, very much is left, and on every sound principle governing the social relations, ought to be left to parents, guardians and masters. The responsibility of parents is in no wise removed by the duties imposed on teachers. Moral education, that bulwark against temptation, evil, idleness and crimes, must be the result of parents' constant solicitude for their children. No human laws, no statutable enactments, no educational system, no legislative preventive, can or will train up the child in the way he should go, or straighten the twig into the upright tree. It is the mother's solicitude, care and teachings, and the father's authority and example, society expects will educate the heart and conscience to resist all temptation, and seek for that Power which can alone deliver us from evil."

From what has been said, it seems very clear that parents and guardians who permit their children and wards to leave their masters before the completion of their apprenticeships, or who permit them to grow up in idleness, without any suitable means of acquiring a living, are incurring a fearful responsibility, and are fitting those entrusted to their care for the prisoner's cell. Something should be done, and that speedily, to stop this great and growing evil, or the progress of crime will continue to accelerate.

11. *Poverty* is a cause of crime. We do not wish to speak of this subject in any way to wound the feelings of the poor. Nothing would give us greater pain than to increase the hardships of their lot in the slightest degree. We have too often witnessed among the poor the brightest examples of purity, gentleness, self-denial, and strict integrity, to permit us to doubt for a moment that poverty was compatible with the exercise of all these virtues. But we dare not shut our eyes to the facts which are every day disclosing themselves, proving conclusively for this country what Sir James McIntosh* stated in the British parliament to be true in regard to England: "In this country pauperism has always advanced in parallel lines with crime, and with equal steps." This may be seen everywhere by those who will take the trouble to observe, both in cities and in the country; but it is in the former where poverty generates crime most rapidly and certainly, and here its peculiar workings can most easily be observed. The annexed table, marked R, casts much light on this interesting subject. The counties of the State of New-York are divided into six groups, arranged according to the amount of crime committed in each, according to its population. The thirteenth column in this table shows the ratio of pauperism in each county in the State of New-York to the population, as the sixth shows the ratio of crime. It so happens that on the face of the table the division which ranks *first* in crime is the *second* in pauperism. This discrepancy is apparent rather than real. The counties of Rockland and Washington, which both appear in the highest division of criminality, are in reality among the least criminal; and the county of New-York, which really stands next to Erie in criminality, appears in the second division. This displacement in relative rank arises from accidental circumstances. In this table the rank in crime is assigned to each county according to the average number of convictions which took place in the six years from 1846 to 1851. When we examine the convictions for Washington county in detail, it appears that they are chiefly of rum sellers who have violated the license laws—not that these laws are more frequently violated there than elsewhere, but the inhabitants are more active in prosecuting them. The convictions

* Speech on the Criminal Law, delivered in the House of Commons, 2d March, 1819.

are, therefore, evidences of the moral rectitude of the inhabitants rather than of their criminality. The rank of Rockland is determined by the convictions which were had in two years of the series. In one year, during a strong excitement against rum sellers, there were a large number of prosecutions for violation of the license law; and in the other, during an outbreak among the laborers on the Erie railroad, which resulted in a large number of convictions for assault and battery: these, though occurring within the limits of the county, and tried in its courts, are not chargeable on its inhabitants.

The position of the city of New-York, in the second rank of criminality, arises on the one hand from the vast amount of business on the hands of the district attorney, which prevents him from studying carefully the merits of each case, and the sharpness of the Toms lawyers on the other, by which every advantage is taken of his negligence. Many cases are brought into the courts of special sessions which in other counties would be tried in courts of record. From this cause, and the large number of cases in which straw bail is taken, the criminal returns are far from presenting the real amount of crime committed in that city. If the table were corrected by the transposition of these counties—as, for the reasons above given, it ought to be—it would show that there was a perfect parallelism between crime and pauperism; those groups which stand highest in the one, standing highest in the other also.

All the causes of crime that we have enumerated, except orphanage, act per se in its production, to a certain extent; but, besides this, they tend to produce pauperism. This is usually the last stage of descent before the unhappy victim is plunged into the abyss of crime. We refer those who are desirous of studying the precise mode by which poverty leads to crime, to the reports of the New-York Society for Improving the Condition of the Poor, where all the details will be found, with all desirable accuracy and fullness.

12th. *Inefficient Preventive Police* is a cause of crime. It might be supposed that this is so obvious that it only needed to be enu-

Description of a Criminal Country

merated to carry conviction to every mind, were it not that it was so generally neglected in all parts of the State. Formerly, even within the memory of men now alive, highway robbery was common on the roads leading to London. Now, in consequence of the increased efficiency of the police, such occurrences are quite unknown. Within the present year, the police of several of our larger cities have been required in good earnest to enforce the law in relation to the closure of the grog shops on the sabbath, and wherever public opinion has really demanded the measure, it has been entirely successful. In the same way would they be successful, if a majority of the really religious portion of the community would rigidly require it, in closing the brothels and the gambling houses, that create so large an amount of crime and misery, as we have seen they do.

In thus bringing to a close our review of the causes of crime, we would repeat what we have before in effect said, that they seldom act singly and alone. The separate acts of drinking, gambling, or licentiousness may not lead those who commit them directly to the commission of crime, but the one leads to the other, and the conjoint action of one or more of them effects his ruin. Thus, going to the theatre may introduce a young man to the society of prostitutes; these will lead him to drink; this habit may lead to the gambling table, which conducts him to poverty, and from the pressure of the latter evil he falls into acts of criminality. Each successive lapse has left its sting within to corrupt and fester his moral nature; and when the stern behests of poverty urge him to replenish his finances at the expense of others, the temptation is not resisted by the lively action of conscience, which he has deadened by his former indulgences in evil, and hence he falls an easy and unresisting prey to the tempter.

It seems to me, that if the facts we have stated are true, they call loudly upon us to examine ourselves individually and collectively under the light of their teachings.

We are not deficient in zeal against crime. When Dr. Webster or Hendrickson commit depredations on the peace of society,

a loud storm of indignation is raised on every hand, every heart beats quicker, and every eye grows brighter during the pendency of the trial; a tremulous apprehension is felt on all hands lest justice should be robbed of its victim; and when at length the lingering forms of justice have consigned the prisoner to his narrow and cheerless cell, our curses on the victim are both loud and deep, and like the Pharisee, we fold our hands upon our breasts and thank God that *we* are not as other men, nor especially as this poor prisoner.

It seems to me that if the lessons above given are learned aright, they will bring us down from this lofty station, and tear away full many of the plumes of purity which we have worn so proudly and so long.

Far be it from me to exalt the criminal into a hero or an injured innocent, or to palliate his crime with the gloss of a sickly sentimentality. I would not abate one jot or tittle of the loathing which is felt for crime by the unsophisticated heart of innocence, nor shield the criminal from the just abhorrence which a wise Creator has implanted in the bosoms of his creatures towards those who willfully and habitually violate his holy laws. But if we should discover that *we* are all partners in the guilt of the inmates of our prisons—that we have sharpened the dagger of the assassin, that *we* have drugged the poisoned bowl, that we have guided the robber to the spot where treasure is concealed—that *we* have furnished implements to the coiner and materials for the forger; I trust we shall be willing—not to excuse the criminal for his misconduct, but to divest ourselves of our Phariseeism and go our ways, resolved to sin no more.

A careful review of the sources of crime above enumerated, and of the facts cited under each, will readily explain the reason of its remarkable uniformity of development from year to year; the sources being uniform, the stream will be uniform also. The number of grog shops, brothels, theatres, gambling houses, &c., being about the same from year to year, will, as a necessary law of their action, produce the same amount of crime; just as the uniform attraction of the sun from year to year secures the ob-
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served uniformity in the velocity of the planetary orbs that roll around him. Could we diminish their number by one eighth, one fourth, or one half, we should certainly diminish the amount of crime committed by a precisely similar fraction, as the attraction of the sun would diminish in proportion to the increase of his distance.

Of the twelve causes of crime above enumerated, seven, and these are by far the most active in their operation, are completely within the control of the people in their sovereign capacity. Two of these are actually licensed and encouraged by law. The state virtually says to the proprietors of grog shops and theatres, we license you for so much gold to make criminals and paupers; you have our sanction and our blessing on your patriotic labors. For the gold you have paid us you may fabricate robbers, burglars, assassins, coiners and forgers to an amount which is accurately determined and fixed beforehand by our registers. Make wives into widows, children into orphans, convert tidy cottages into dilapidated hovels, fill the fruitful fields with brambles and briars, debauch the morals of our youth and lacerate the hearts of our old men and matrons; the gold you pay us for the privilege will amply compensate for all; ye shall be counted wise and honorable men; ye shall be rulers of our elections, ye shall control our legislature; ye may whisper your edicts to the judges on the bench, and if any audacious hand is raised against your privileges, if any daring voice is uplifted to complain of your doings, we will pronounce a sentence of social and political ostracism against him, and if haply he is already entrusted with offices of honor or of profit, the places which now know him shall soon know him no more forever.

“Behold the schools in which plebeian minds
Once simple, are initiated in acts,
Which some may practice with politer grace,
But none with reader skill!—’tis here they learn
The road that leads from competence and peace
To indigence and rapine; till at last
Society, grown weary of the load,
Shakes her encumbered lap and casts them out.
But censure profits little; vain the attempt
To advertise in verse a public pest;
That, like the filth with which the peasant feeds
His hungry acres, stinks and is of use.

The excuse is fattened by the rich result
Of all this riot; and ten thousand casks,
Forever dribbling out their base contents,
Touched by the Medas fingers of the state,
Bleed gold, for officers to sport away.
Drink and be mad then; ’tis your country bids!
Gloriously drunk, obey the important call!
Her cause demands the assistance of your throats;
Ye all can swallow and she asks no more.”

At the late murder trial in Troy, which resulted in the conviction of Mrs. Robinson, judge Harris very properly charged the jury as follows: “It is my duty to say to you gentlemen, that if she was intoxicated, even to such an extent that she was unconscious of what she was doing, still the law holds her responsible for the act.” * * * * * “If his derangement is voluntary—if his madness be self invited—the law will not hear him when he makes his intoxication his plea to excuse him from punishment.” This is all very proper and perfectly in accordance with the established maxims of earthly law. But “when the Lord maketh inquisition for blood” in the solemn day of final account; while he will ratify the decision of the human tribunal in relation to the non-excusability of the intoxicated murderer, he will not hold those legislators guiltless, nor those voters who elected them, who permitted, for the sake of so much paltry lucre, the rum seller to spread the net for the feet of the unwary, and to hold out temptations to the feeble minded to fall into the paths of crime.

Brothels and gambling houses, unlike grog-shops and theatres, are denounced and prohibited by our laws; nothing has apparently been left undone by the legislator to mark his disapprobation of their existence, the judges are required to invite the concurrence of all the citizens at every session of the courts, in ferretting out lottery offices and bringing their keepers to condign punishment. The legislator has done his best, no blame lies at his door; but how have the laws been executed? Let the fourteen thousand prostitutes who make night, in the city of New York, hideous with their prowlings; let the innumerable hells, gaily painted, splendidly decorated, and brilliantly lighted, let the lottery offices at every corner of the streets of our cities, that

1654

the language used
intoxication - not to excuse her crime

Causes of crime enumerated by Robinson in 1784

almost without the pretence of concealment cozen the poor and wring the hard earnings from the hand of penury be the all sufficient answer.

Every brothel, every hell, and every lottery office is as well known to the police of New York, Albany and Buffalo, as the churches of those cities; yet not a hand is raised to suppress them. The hands of the ministers of the law hang powerless by their sides while fraud and rapine stalk unrebuked among us.

There cannot be a doubt that these evils are abhorred by a large majority of the people, yet the police who are paid by the people and appointed by them or by their agents, are visited with no rebuke or punishment for their supine neglect of duty. If the people did their duty the police would be compelled to do theirs. Were one half the zeal and energy expended by the people who hate crimes, and daily pray for its extermination, that is exhibited for the detection and punishment of a horse thief or a counterfeiter, these futile sources of crime would be dried up forever.

The crime-producing agency of our common jails has also been effectually guarded by the Legislature; the evils which are found to arise from them were distinctly foreseen and guarded against by the law, but its wise and benevolent provisions have been rendered useless and inoperative by the parsimony of tax payers, who refuse to pay for suitable erections, and to their culpable remissness in electing officers who are not qualified by their education or habits to discharge those duties which the State most unquestionably owes to its criminals and to those suspected of crime.

One very demoralizing class of pernicious books are also denounced by the law, and their sale prohibited by adequate penalties, we mean those of an obscene character, yet here we have another example of the evil of an inefficient police; were this body to perform their duties faithfully and fearlessly, the numerous, unblushing vendors of these moral poisons would not be permitted to throng the landing places of steamboats and the depots of railroads, and sow the seeds of crime in the ardent minds of our travelling youth and young men.

We have shown that the first six causes of crime, and the last, are directly under the control of the people in their sovereign capacity; if they firmly pronounce their will that these causes shall cease for the future, and that will must be obeyed, and the crime that flows from their existence will as certainly cease. If they refuse or neglect to do so, they assuredly, by all the rules of logic and common sense, make themselves partners in the crime that follows in their train.

The remaining five— orphanage, insanity, ignorance, want of trades, and poverty—are not so entirely under the control of the people as the former, but their influence may be reduced far below their present limits by the energetic and enlightened action of the people in their sovereign, social and individual capacities.

Orphan asylums may be more fully endowed and more carefully managed; common schools may be made far more efficient in dispelling the clouds of ignorance than they have ever been before; insanity may be earlier detected and more certainly cured; the system of apprenticeship may be rendered more useful and more certain, and poverty, we fully believe, may almost entirely be banished by proper legislation. This is not the proper place to enter into details, but we have elsewhere expressed our opinion on this point, and have no doubt that the plans thus recommended would prove effectual.

Now, in view of what has been stated, can we lay our hands upon our hearts and declare as in the presence of heaven, that we, as individuals, are guiltless of the murders, the robberies, the crimes of every kind that daily occur around us and in the midst of us? Have we, as voters, endeavored to cast our ballots for those who would do their utmost to procure the passage of laws for the suppression of grog shops and theatres, or who would most zealously execute those already enacted for the annihilation of brothels and gambling houses? As parents, have we sedulously guarded our children from the dire contagion of pernicious books? Have we shielded their tender minds to the utmost of our power against the seductive creations of an unsanctified fancy, which invests the hideous skeleton of sin with the drapery of beauty,

and holds up, as the standard of their highest aims, an enervating luxury, and a God-forgetting and a God-defying sensuality? In our social capacity have we watched over the helpless orphan, have we contributed of our abundance to those asylums which the hand of active benevolence has reared for their shelter, have we sometimes admitted to the brightness and cheerfulness of our own hearth these children of sorrow, for whom the voice of parental affection is forever hushed, and the fires of whose hearth stones are faded and cold?

Have we sought to understand the secret springs of insanity, and learned to distinguish the subtle barriers which separate mental alienation from premeditated crime, when called to exercise the elevated functions of jurors, and have we labored with a zeal commensurate with its importance to provide the curative agencies of an asylum for the first dawns of lunacy in the friendless and the poor.

Have we fostered, as far as we are able, the nurseries of education around us, and striven to cheer the thankless toils of our teachers by public commendation and social sympathy?

Let us pause for a moment, and as in the presence of the all seeing Eye, answer these interrogatories to our own hearts.

If we are compelled to answer them in the negative; if the inexorable voice of conscience proclaims us verily guilty concerning our brother, then, by every rule of reason and of logic, a measure of the guilt of those crimes which have occurred through our neglect, our moral cowardice or our carelessness, attaches to us, even though we are not the actual agents in committing them.

What, in the judgment of the great searcher of hearts, will be the difference between the guilt of him who wilfully thrusts his fellow man into the ocean, and his who, having power to rescue the drowning man from the watery flood, refuses to exercise that power for his preservation?

Although we cannot redeem our brother from the power of sin, or give to God a ransom for his soul; although Paul may plant, and Apollos may water, but God alone can give the increase in

the flowers of love and in the fruits of holiness. Yet the suppression of crime (as we have defined it) rests on a different footing, it springs from causes which our eyes can see, our hands can handle, and our wills control, and therefore the obligation rests upon us to banish it from our midst.

Deeply impressed with the importance of these views, I earnestly commend them to the severe consideration of all thinking, philanthropic men. If they are erroneous, I trust they will escape the error; if true, may they be willing to act vigorously in the spirit of their convictions.

I wish to add to this letter, already too long, a few words, in relation to the facts disclosed in the annexed tables.

In table J, annexed to my letter in the fourth report of the association, the columns shewing the density of population, compared with those which shew their criminality, disclose the fact, that crime, in the State of New-York, follows compactness of population, with almost mathematical certainty, so that a calculation of the ratios of crime in any two groups of counties, will equally answer for the ratios of density of population. An examination of table Q, hereto annexed, will shew the same striking result for the counties of England and Wales. The calculated ratios at the foot of the table will be found to coincide very nearly with the actual results, as appears from the footings of the column of density.

Table R shews a similar relation between crime and density of population, except in the case of the first and second group of counties, where the rule appears to be violated; but, though apparently the second, and less guilty group, have a more dense population than the first and more guilty one, yet, for the reason stated under the head of pauperism, the discrepancy is not real. If New-York were transferred to the first rank, as it ought to be, and Washington and Rockland removed to the proper places, the connection between crime and density of population, would be as clearly indicated in this as in the other tables. Since this rule seems to obtain in the State of New-York, during two separate periods of six years each, and in England and Wales, during a

Corrected Paper of Feb 4

period of five years, its generality is greatly confirmed, and we may safely use it as an ascertained foundation for future enquiries.

There is something degenerating, probably, in the very fact of closely herding individuals together; a certain amount of separation, privacy, and seclusion being necessary for the healthful moral development of mankind; but the tendency of crowding, per se, to produce crime, is, probably, much less than the opportunity it affords for the action of other causes. Thus, theatres and brothels cannot exist in sparse populations, it is only in cities where they can be supported. The profits of grog shops, and therefore the inducement to establish them, are chiefly from evening customers; the neighbors drop in after their daily labor, to hear the news, to listen to stories and songs, and to pick up any piquant amusement that may turn up; but, in thinly settled districts, these gregarious habits cannot be indulged in, and hence there is less inducement for the erection and maintenance of taverns and other places for selling liquors, the same may be said of gambling houses; and it is obvious, there must be less opportunities for circulating pernicious books; indeed it is clear, that *all* the causes of crime are forced into a hot bed fertility, by crowded populations.

If, as before, the county of New-York is made to change places with Washington and Rockland, and the column showing the ratio of crime is compared with that showing the ratio of foreigners, in table R, it will be seen that crime is in proportion to the number of foreigners in each group of counties. From table G, in the fourth report, we learn that in 8,151 convictions, from 1840 to 1845, 37 per cent. were foreigners. Table G, hereto annexed, shows that of 6,353 convictions, between the years 1846 and 1851, 38 per cent. were foreigners. The proportion of foreigners in the whole State to the aggregate population is 21 per cent. In view of these facts, there can be no doubt that crime is increased by the influx of foreigners.

It appeared from table J, in the fourth report, that these groups of counties which contained the greatest number of grog shops in proportion to the population, had the greatest relative amount of crime, and that those groups which were best supplied with

clergymen had the least amount of crime. I regret that I have no date by which this conclusion can be tested for the present time. Probably the State census, which will be taken next year, will furnish us with the required facts. The English census for 1851 contains much valuable information in relation to the spiritual provisions for the British population. I have embodied part of these results in table Q; but it does not appear from the footings that church going has much effect on crime in that country; probably if our information in relation to the *quality* of the preaching was as accurate as that which we have in relation to *quantity*, the result would be more definite.

The table marked W shows the comparative tendency of each trade and occupation to produce crime. The prison reports frequently use different names to describe the same occupation. Thus, sailors are described as sailors, seamen, mariners, &c., all of which are consolidated under the head of sailors in the table; bar tenders, tavern keepers, inn keepers, hotel keepers, recess keepers, porter-house keepers, &c., are all grouped in the table as liquor sellers; stone masons, masons, bricklayers, plasterers, &c., are all placed in the table under the head of masons. Wherever the occupation of the prisoners are described under different names, substantially the same, I have classed them under a single head.

The classification of the different trades in relation to crime is based on the table in the United States census of 1850, marked X, showing the professions, trades, and occupations of the male population. This is undoubtedly very erroneous. A single example will suffice to demonstrate this: The number of teachers in the State of New-York, as indicated in this table, is 2,861; whereas, in the table marked VII, for the same state, the number of teachers is set down as 17,095. Notwithstanding these errors, the following abstract from table W will be found interesting and important. It shows at a glance the rank of each trade in crime, ascertained by the average number of each trade convicted in courts of record and courts of special sessions in the State of New-

York, compared with the whole number of each trade in the State, according to the United States census of 1850:

Rank.	Ratio.
1. Barbers,	1 in 61
2. Sailors,	1 in 61
3. Butchers,	1 in 81
4. Boatmen,	1 in 95
5. Pedlers,	1 in 99
6. Bakers,	1 in 101
7. Laborers,	1 in 109
8. Musicians,	1 in 118
9. Liquor sellers,	1 in 139
10. Printers,	1 in 160
11. Weavers,	1 in 167
12. Stone cutters,	1 in 174
13. Drivers,	1 in 188
14. Painters,	1 in 194
15. Hatters,	1 in 198
16. Masons,	1 in 199
17. Actors,	1 in 222
18. Shoemakers,	1 in 227
19. Tailors,	1 in 231
20. Soldiers,	1 in 272
21. Coopers,	1 in 282
22. Blacksmiths,	1 in 296
23. Carpenters,	1 in 357
24. Machinists,	1 in 381
25. Teachers,	1 in 580
26. Clerks,	1 in 621
27. Saddlers,	1 in 766
28. Merchants,	1 in 799
29. Lawyers,	1 in 852
30. Doctors,	1 in 949
31. Ministers,	1 in 5296

The trades of Pennsylvania I have only been able to obtain for the Eastern Penitentiary. Those of the Western Penitentiary I could not procure, and am therefore unable to give the ratio

which each trade bears to the total number following such trade in the State. I have, however, preferred to give such statistics as I possessed, even though they were imperfect, in the hope that some one who has access to the necessary details might be induced to supply them.

The tendency of each trade to produce crime is an inquiry of great importance, as it will cast much light, when thoroughly understood, on the nature of crime itself; and we sincerely hope that the wardens of prisons, in their annual reports, will henceforth be more careful in giving the details of the former occupations of prisoners than they have hitherto been.

With great respect, I remain thy assured friend,

JOHN STANTON GOULD.

(B.)

**To the Honorable the Legislature of the State of
New-York.**

The Memorial of the Executive Committee of the New-York Prison Association respectfully represents :

That since the Incorporation of the Association in 1846, its officers and members have been engaged in the peculiar and important duties imposed by their charter, to the utmost extent permitted by their means. It is the only voluntary Association in the State, which has cognizance of matters pertaining to Prisons, Prisoners, and Prison discipline.

The subjects which it is especially appointed to consider and take action upon, while they are confessedly of the deepest interest in a civil and Christian aspect, are yet, to too great an extent, neglected by the philanthropist and ignored by the religionist. Other objects of benevolence, appealing more cogently to the heart, or presenting apparently stronger attractions, find abundant and ready sympathy with the Christian public ; the hungry are fed, the naked are clothed, the widow and orphan are freely succored, forsaken children are rescued from impending degradation, and the poor have the Gospel preached unto them ; but the prisoner, who equally with these, is required to be " visited " and cared for, in order to establish a claim to the Savior's love, is not so much as looked upon, in general, with complacency, and is shunned as unworthy of even Christian charity. Prisons and prisoners present to the common mind so repulsive an aspect as to have the door of human consideration, to a great extent, closed against them ; and yet Howard and Fry found in them rich fields of hopeful labor and improvement, and Christ himself directly made such labors an essential duty.

The immediate objects of the Prison Association are three-fold:

1. Improvement of Prison discipline.
2. Protection and aid of discharged convicts.
3. Advice and assistance to prisoners under detention.

Each of these, in the experience of the Association, is of sufficient magnitude for the exclusive attention of a voluntary Society.

The first one enumerated has been for centuries a subject of discussion and experiment with individuals and governments, and though great advances have resulted from the attention given to it by enlightened men, there is still extensive room for the introduction of philosophic, economic, and reformatory measures. But from the peculiar nature and magnitude of the subject, and especially from the character of its objects, a more difficult theme for thought and study is perhaps not to be found. It cannot be claimed that we have yet attained to any thing like perfection in the regulation, internal economy, and penal discipline of prisons; we are far from it; and the obligations to their consideration press as strongly upon Governors, Legislators, and private citizens, at the present time, as at any previous period.

To this branch of duty the New-York Prison Association, in one of its departments especially appointed to the purpose, as well as in general consultation, has given, as its annual reports will show, a considerable share of attention, and, as is believed, with no little benefit. The inspections of State and county prisons which have been made by its committees, as required by law; the exposure of long-concealed abuses; and the recommendations of improvement, which have from time to time been urged in various parts of the State, are confidently believed to have resulted beneficially in many instances.

The propriety and necessity of this authority to enter and examine the various prisons of this State—separated as it is from mercenary and selfish considerations—have been amply proved, and the wisdom of that clause in our charter fully justified, by the evils which have been brought to light, and to the knowledge of public authorities, and of citizens who, though living in the

immediate vicinity of prisons, were, until such exposure, entirely ignorant of their depraved and mournful condition. This is indeed a most imperative and important duty, and could not be abandoned without serious detriment to the interests of humanity, and the probable advancement of crime and error of every sort connected with the administration of prison government. But in this branch of service, the Association, from inadequate means, has been unable to accomplish more than a small fraction of the work required of it, and it is its earnest desire to extend this part of its labors over every section of the State.

The second object above enumerated, viz: to *afford protection and aid to discharged convicts*, is one of the more direct and practical duties to which the energies of the Association are devoted. Of the importance and value of these services, abundant evidence has been afforded us, especially during the past year.

Those only who are personally acquainted with the individuals, who after serving out their allotted periods of incarceration, issue from the prison portal total bankrupts in moral character; social position, and pecuniary means, can form any true estimate of the desolation of heart, the utter forlornness of spirit, not to say imbecility of purpose, which cover them as with an impenetrable darkness; those few only who thus see them, can appreciate fully the necessity of a helping hand to aid them in any good resolutions they may have formed, in their silent determinations and supplications for help to keep their backs forever turned upon crime, and the involuntary servitude they have just left.

To aid all such by encouraging words, by procuring employment for them, by a watchful care over their associations, and by all other means which an interest in their welfare may dictate, is the duty and aim of the Prison Association.

From the experience derived from the discharge of these duties, the members of the Association are led to believe that a grand mistake has extensively prevailed in the department of society towards the discharged convict. Badly conducted as most of our State and county prisons now are, so far as the reformation of their inmates is concerned, it is apprehended that few really

guilty persons approach the termination of their imprisonment without assenting to the justice of their punishment, and the formation of more or less determined resolutions to lead honest lives in future. If such are encouraged in their good resolutions, and can be made to feel that they are not necessarily outcasts, but will be received as penitents, and if employment is found for them, whereby they may be enabled to keep aloof from former evil associates, then we fearlessly assert that a great majority of such may be entirely preserved from further lapses. But how different this from the treatment which society in general indiscriminately metes out to the late offender. Though he has paid the penalty of his crime, and is by every just consideration entitled to a new trial, and to be received as a prodigal son, yet in the view of society, however great may be his desire for a better life, the brand of *criminal* is still upon his brow, and the world's proud scorn withers every budding promise.

To every discharged convict who may need assistance, and by whom the least desire for reformation may be evinced, the Prison Association would stand in *loco parentis*, and would strengthen every aspiration of good by all the means at its disposal.

So far as its experience goes, it has been greatly encouraged in these views, and its labors have been crowned with eminent success. To be enabled to continue them, and to add to our influence in this particular, is its earnest solicitude.

The third duty of the Prison Association consists in extending to those who are detained for trial, and who are unable to procure other counsel, advice, encouragement, and even protection against wrong. For this purpose its agent frequently and regularly visits the various houses of detention in this city and Brooklyn; puts himself in communication with their inmates; informs himself of their history, temptations and disposition, and where aid, advice, or interference can be judiciously rendered, it is freely bestowed; and as the records of our office and our published reports shew, many wounded spirits have been healed, numerous quarrels which would otherwise have occupied the time of courts and juries, have, by kind words fitly spoken, been

reconciled; hundreds of wayward youth have been restored to home and rectitude; many a wrong committed under pressing temptation has been rectified and the offender forgiven; and numerous persons, whose characters would have been ruined by a hasty conviction and imprisonment without defence, have been saved the degradation by a timely and disinterested relation of the facts and palliating circumstances to the court. In all such proceedings the Association, through its agent, is indefatigable in its endeavors to reconcile differences, and, actuated only by christian motives, and assuming no responsibility and receiving no compensation in any case, acts only in the spirit of conciliation and justice, keeping in view the best interests both of society and the accused.

The following table exhibits, as nearly as mere figures can, the extent of the services of the Association, through the agent, of its discharged convict and detention committees, during the year 1854 :

Situations obtained for discharged convicts from Sing Sing,	52
Situations obtained for discharged convicts from Blackwell's Island,.....	131
Persons discharged through our recommendation,.....	309
Persons aided with money,.....	230
Persons furnished with clothing, etc.,.....	131
Complaints examined, and advice and assistance afforded,.....	1,344
Complaints abandoned by our advice,.....	170,517
Total of discharged and detained prisoners aided in various ways,.....	2,367

This is, however, a mere *numerical* statement; to exhibit the amount of good work executed, and the happy influences which have been exerted upon thousands of hearts by an interposition of a character unknown to the ordinary practice of courts and counsel, would require a volume. The bare facts contained in the annals of the New-York Prison Association, would excite an interest in the Christian reader, unsurpassed by ordinary works of romance.

An extended prosecution of the wise and beneficent intentions of the originators of the Institution, under the obligations imposed alike by its charter and duty to the prisoner and to society, is the desire of its present officers and members. The work already accomplished has been effected under a most rigid economy of slender means. To strengthen and encourage the hands of our agent, and to enable us to prosecute more extensively the work of examining State and county prisons, a better supplied treasury is greatly needed, and for this purpose, as well as to attract the attention of the Legislature and the community more fully to the objects of the association, this appeal is respectfully made.

There can be no question that every dollar expended in keeping men from further commission of crime, and in disposing of accused persons otherwise than by committing them to prison, by such influences as are exerted upon them by the prison association, is returned to society and to the State manifold.

Of the whole number of persons enumerated in the above table, *one only* is known to have been recommitted to the State prison, and but twenty-seven to have been arrested for intemperance or disorderly conduct, while it is probable that but for our help a much larger proportion would have returned to evil courses and been re-imprisoned, the expenses of whose trials and maintenance in prison would have been greater than the whole expenditure of the association for the year. Thus, in a merely pecuniary point of view, the money expended by the Prison Association is an immediate "good investment," while by their effects upon the morals of individuals, and as a promoter of order in society, as well as in their practical inculcation of Christian principles, the workings of the association have a bearing which cannot be estimated.

In consideration of these facts and reasons, the executive committee respectfully and earnestly solicit the pecuniary aid and co-operation of your honorable body.

By order and on behalf of the executive committee,

R. N. HAVENS, *Chairman*.

FRANK W. BALLARD, *Secretary*.

New-York, February 10, 1854.

1854

(c) Discharged Convicts
Cases of 1854

Extracts from the Diary of the Agent of the Committee on Detentions.

We have been at a loss in our selections from the diaries of the committees on detentions and discharged convicts. On the one hand, a desire to exhibit the practical daily workings of the association, whilst on the other, we have no disposition merely to increase the bulk of our report. Deeming the former object, however, proper in itself, we venture on the presentation of more "cases" than may, perhaps, prove of interest to some of our readers. Yet we venture the belief that those who undertake their perusal, will find their sympathies invigorated in behalf of the fallen or unfortunate who claim and receive our care.

No. 1. Charged with assault and battery. Was fined \$25. He had been confined in the Tombs for 8 weeks. Enquiries were made into his character. He had never been in prison before. His sister was nearly blind, and partially dependent on him for support. These facts being submitted to the court by the agent, he was discharged.

No. 3. Was confined in city prison on suspicion of stealing a small quantity of old lead, a part of the ship's stores in which he sailed. He had been with the captain of same ship 5 years, who was seen by the agent. He said, "I have no doubt the lead was sold to one of the men who came on board to buy up one little notion and another, but as Jack was always true and right before, and is a good son to his poor old mother, I will not press the charge; I will not appear against him. When asked by the agent, if he would not engage him again as cook on his return voyage. He replied, with the characteristic generosity of a sailor, "To be sure I will." The next court day the prisoner was discharged.

No. 5. Charged with petit larceny. He had stolen a piece of iron valued at 70 cents. His home was visited, his wife and four children were found starving. These things were shown to be so, and as the man had for the first time done wrong, and now promised to go right, he was discharged.

No. 6.-On complaint of his wife, who appeared in court with two terribly black eyes. She reluctantly stated he had beat her; but she begged his discharge, as he was, when sober, a good husband and father. She had not seen him until now under the influence of strong drink during the last 3 years. He was remanded. On the following court day we stated that his employers had been seen, and they testified that during the last nine years he was industrious, honest, and uniformly sober. The court discharged him. Both the man and wife have called at our office several times since, gratefully acknowledging our interposition in their behalf. The husband looks now after "the material aid" for the support of his family, and the wife is economical, clean, and strives to make home happy.

No. 11. A poor colored boy, about 14 years old, was brought before the court of special sessions; the complaint was a small affair; the Recorder desired him to sit down; presently the agent was called up, when his honor said, "this boy is not depraved, he has never been here before, try and procure him a place away from temptation; he will, I think, do well, and live to be a useful member of society." He was remanded for three days, when we found a place for him; when last heard from was a good boy, and resolved to go right.

No. 12. Was arraigned at special sessions on complaint of a police officer, she was seen to pick a small quantity of wool from a bale on the dock; it was her first offence; she was a widow with two children; this was stated by us and she was discharged.

No. 21. Remanded from last court day, was again brought up on charge of petit larceny; inquiries had been made by the agent of his late employer, who not only spoke well of him but who engaged to keep him regularly at work when discharged. This boy was not known to the officers; it was evidently his first

offence. The Recorder urged the mother to go right herself, and to see that her son went to school and respected the Sabbath. He was admonished and discharged.

No. 22. A poor distressed creature was arraigned for stealing a plate valued at two shillings. The agent ascertained that this man arrived in this country from Germany on New Years day last; he had but little work since. To procure bread he was tempted to take this plate, which he confessed he sold for ten cents, with which he bought two loaves. Since his arrest his wife had become a mother; their distress was most abject. These facts were stated to the Recorder, who immediately discharged him.

No. 23. Was arrested on charge of petit larceny; he protested his innocence, said that he was a persecuted man; he stated his wife died two weeks since, and that he now had five fatherless children to support. Diligent inquiries were made into this man's history, the result showed his statements were a tissue of falsehoods, that he had not buried his wife, that he had no children to support, and would not by honest industry support himself. He was an old and habitual transgressor. When arraigned the larceny was proven, and he was sentenced to six months on Blackwell's Island.

No. 25. Committed to the toms on charge of willfully and maliciously *destroying a lion*. This unfortunate fellow says for some months he had abstained from strong drink; last Sunday he came to the city, and was prevailed upon to accompany a friend to a funeral; here he was tempted to take a drink; he believes he took three or four glasses, these ran away with his brains. "He saw a lion in his way, he thought the beast moved, was alive and dangerous, it was right to kill it, and he tried to do this same thing." He made several kicks at him, at last it gave way and his ribs fell in. He was arraigned on this complaint and pleaded guilty. The court remanded him. The agent saw the complainant, who had no desire to punish the man, but his mutilated lion must be repaired, the cost would be \$30. The wife was sent to the man who had the restoration of the lion in hand; he kind-

ly sympathised with the husband and wife. The affair was amicably adjusted and the defendant discharged.

No. 26. The wife of a man sentenced to Sing Sing called at the office to say she had adopted the advice of the agent, her three children were placed out amongst her friends, we then procured her a comfortable situation, where we hope she is doing well.

No. 27. Was arraigned in court of special session on complaint of his wife; she had a terrible black eye, and other evidences of his brutal conduct. When requested to place her hand on the Bible she involuntarily shrunk back and wept bitterly. The agent having conversed with her on Tuesday, and with him on Thursday, begged Judge Beebe to sympathise with the still affectionate wife and her family of four small children. They had been married nine years, the first five had been prosperous and happy, the latter "right opposite." He now resolved to do better; he was her husband and the father of her children, she would beg the court to give him another chance to reform; she still entertained hope concerning him. The Judge severely admonished, then discharged him. They have since called at our office, grateful and happy, cheerfully testifying "there is no place like home."

No. 33. Was brought before the court of special session; when spoken with in the city prison she wept convulsively; she was inexperienced in crime. An interview was had with the complainant, who stated that she had been engaged by his wife as help; under the advice of a former servant this girl had been led to first use, then take away dresses and various articles. A situation offered where larger wages were given, she left, and soon after we discovered her delinquencies. We had her arrested, and now I have no desire to press the case, especially as it must have been her first departure from right paths. When arraigned (under the advice of the agent) she pleaded guilty. The clemency of the court was solicited in her behalf. The Recorder feelingly expostulated with her and she was discharged. The kind hearted complainant gave her good wholesome advice and some pecuniary aid.

No. 34. Was confined in the toms on complaint of a police officer for disorderly conduct. Says he was in the park to witness a military parade, to avoid the crowd stepped over the chain and walked on the grass; a police officer peremptorily ordered him off, he instantly obeyed; immediately he was on the walk another policeman, equally authoritative, ordered him back again, he refused to comply, hence he was locked up. His wife was sick, and he in danger of losing his work. We obtained his discharge.

No. 35. At Jefferson Market police court to day, the wife of a poor drunkard now on Blackwell's Island, made complaint that one of the lawyers doing business there, had promised to get his discharge if a \$5 fee were paid him, she paid him the sum; after some delay he told her it could not be accomplished for less than \$10, she had but \$3 and this she handed him. Her husband is still there, her child is sick, and want threatens her, she consulted the justice; the lawyer was severely admonished, his conduct denounced and characterized as obtaining money under false pretences, as illegal and dishonest, and as far as Jefferson Market police court was concerned, the imposition should be stopped, if he had a repetition of this villany he would send it before the Grand Jury. He requested the immediate return of the \$3. The lawyer acquiesced.

No. 36. Was committed to the city prison on charge of stealing a \$5 bill from an unfortunate girl living at No. — West Broadway.

He solemnly protested his innocence and begged the agent to see the girl at this brothel, to this application a decided negative was given. If men will frequent such places, they must pay the penalty. We would not interfere; he deserved more than he suffered.

No. 38. Was sentenced by the U. S. Court to be fined \$1 and confined 10 days in the city prison for petit larceny, stealing a bottle of Champagne from the ship's stores when at sea.

His term of imprisonment was expired, he was now detained for the \$1 fine which he could not pay. The agent waited on the

marshal begging him to remit the fine, he said none but the President could do this, we offered to pay the dollar rather than this poor fellow should be kept in prison, (though reluctantly,) as Uncle Sam was very rich and we are very poor. The marshal with his characteristic urbanity expressed his willingness to pay the fine himself and discharge him.

No. 39. Was committed on complaint of a Police Officer for interfering in the execution of his duty; ascertained that the young man is steady, sober and uniformly correct, having been in prison a week we procured his discharge.

No. 40. Charged in court of special sessions with stealing from his employer a box of olive oil. He seemed humbled on account of his dishonesty; confessed that he had sinned against a good employer, one of the best in the city; he had become reckless under the influence of strong drink during the last few weeks. The prosecutor was seen; it being his first offence and believing it will prove to be the last, the clemency of the court was solicited and the unfortunate young man was discharged.

No. 41. Was arraigned at special sessions for stealing some tools from his employer, valued at \$1.50. The defendant was laboring under a dreadfully distressing nervous debility, the effects of a fall. We ascertained that he had lived in this city the last 45 years, that he had never before been locked up. He had been the subject of many trials. His wife was taken from him by death, and he has now four children to support. He had often borrowed these tools from his boss. This was not denied. Submitted these facts to the court, and the man was discharged.

No. 49. Had been committed to the city prison for trial, on charges of assault and battery, and locked up for 10 days. When arraigned at court of special sessions, the testimony appeared conclusive against him. He was fined \$5 and remanded. The agent during this examination was engaged. On his return to the court, he met the wife of the prisoner weeping convulsively. Judge Beebe was seen in his behalf. His offence was of a very diminutive character. He had slapped the face of a saucy boy who had attempted to steal his dog. We visited his home, it was

desolate. His wife and three small children were in great want. He had been in this country but a few months, and could not make himself understood. His landlady testified that he was sober, quiet, and honest. We prayed the judge to remit his fine; this was done, and he was discharged. The gratitude of this man and his wife was very great. When outside the prison he clapped his hands, looked up to heaven, wept, jumped, and danced with joy.

No. 50. Had been confined in the Tombs for four weeks, on complaint of his boss, of being disorderly. In looking into this case we discovered the cause to be more imaginary than real. The boss had suffered himself to be prejudiced against this orphan lad, and had resolved that he should go to sea or he would have him confined in prison until he was of age. This was shown to the committing judge, who, at our request, discharged the apprentice. At a later hour saw the boss, gave both him and the lad some good advice; they are now at work comfortably together.

No. 51. Whilst in the police court, procuring the discharge of the above, a police officer entered, having in his custody a poor fellow laboring under delirium from rum. He vociferated to the justice, "He will shoot you! He will shoot you!" Presently in a paroxysm of terrible apprehension, he crouched down and cried out, "Take him away, Oh, take him away!" The officer obtained the commitment, and then conducted him into the Tombs. Within the next hour, six men could scarcely hold him. Immediately after this fit of delirium tremens an utter prostration followed. Dr. Covel was in constant attendance. Two hours later we enquired after the wretched man; the reply was, "He is dead."

No. 53. Visited two of our police courts; saw a crowd, some anxious to get warrants for assault and battery, and other imaginary wrongs; conversed with several of these. Wives came to prefer charges against their husbands; under advice they left the court, resolved to give less provocation, to be less abusive, more kind, clean and quiet, to make home more attractive, and especially to abstain from the use of intoxicating drinks, and affec-

tionately influence their husbands also to abstain. We urged them to do this, and no summons, warrant, police or judge would be required. Five women left the courts smiling; each promised to try the experiment.

No. 54. At Jefferson Market police court submitted the case of a man confined in city prison 25 days on complaint of his wife. This man is a German; could earn but $\$3\frac{1}{2}$ to $\$4$ per week when at work; he had lived latterly a miserable life; his wife resolved to separate from him, and now sues him for support. Nothing less than $\$3$ per week would satisfy her; she would keep him locked up until he could do this. We labored to influence her to accept $\$2$, which he would regularly allow her, she said no. We had no alternative but to procure his discharge.

Nos. 55 & 56. Two boys were charged with stealing a mantilla; made diligent inquiries as to their character, the report was in their favor. Judge Beebe remanded them, and said that if their parents would find places for them in the country by next court day he would discharge them. This was within a week accomplished.

No. 57. Was committed for disorderly conduct; an officer had arrested some one in Pearl street for some very trifling matter, this young man merely said to the policeman, "you have no right to take that man," and for this he was confined. We went to his employer, who spoke well of him. At our instance the justice discharged him.

No. 58. A young girl, aged 15, was confined in the city prison on charge of stealing garments from the hall of a dwelling house. She was arraigned in court of special session. The testimony was clear against her; she was caught going from the door with them in her possession. The property was given up. The owners were seen; it being her first offence they had no desire to send her to prison.

The parents of this girl were seen; they appeared to be industrious, sober, well conducted persons, and deeply afflicted at the indiscretion and wickedness of their child; in no way could they

account for her conduct, as she diligently applied herself to work; was quiet and well behaved.

All these facts were submitted to the judge, who had determined to send her to the house of refuge; she was, however, remanded until the next court day, when she was discharged. We have since ascertained that her steps are now in the right direction.

No. 62. Had been in prison nearly three months, having demanded a jury trial. He was a sailor, charged with stealing a small quantity of old rope, which was sold for $\$1.25$. The agent had often seen the authorities, urging them to bring this young man to trial, he being destitute of clothes or a change of linen. He had already been punished sufficiently for his offence. He was brought up before the court of sessions, and discharged at our instance.

No. 67. Six sailors, and the carpenter of the ship —, had been confined as witnesses for 50 days in the city prison. The second mate had been charged with the murder of one of the crew; he had not been taken, and there was no probability of his arrest. The authorities were seen, and these persons were brought into court, paid and discharged. The sum awarded by the court was $\$25$ each. The carpenter informed the agent that that sum was insufficient to meet the debts he had contracted by the detention. He had a wife and five children; his tools and clothes were taken in ship to Liverpool, and he may never see them again. These representations were made to the court, and a further sum of $\$15$ awarded and paid him.

No. 79. Was arraigned last court day and remanded, with a request by the justice that we would inquire into her character and habits, and report, those we saw knew her well, they were surprised to hear of her condition. It was her first offence. She confessed her faults and promised to do better. The court severely admonished, then discharged her.

89. An educated man was confined in prison on complaint of his wife for assault and battery. Under the influence of liquor

he had often punished her. She had never before made a charge against him in a court. She could not forget he was not always as now. She would not press the matter, especially as he appeared to regret the past. These facts were submitted, when he was brought up and discharged. He has since gone right.

90. A decent working man was charged with stealing a piece of lead pipe from the roof of a house. The testimony went to prove that the allegation was correct. He was fined \$10, and in default, to stand committed. The wife and daughter were deeply afflicted, in court. They were spoken to. The wife stated that she has a family of 8 children. Her husband was out of employ; he had, under these trying circumstances been tempted to steal. He would do so no more. We immediately saw the complainant, to whom we were known; he promptly sympathized with the family, and with us urged the judge to remit the fine. On the following day we obtained his discharge.

92. Had been confined in the Tombs nearly five weeks. He was in a very distracted state of mind. Investigating this affair, we ascertained that he had, under the influence of some disappointment and temptation, drank more intoxicating liquor than he was accustomed to. He left his home and his business, and, mad, or worse, entered the U. S. service, and was removed to Governor's Island. When restored to his senses, he felt both pained and ashamed. He wrote to his wife; she consulted a justice. A warrant was issued for his arrest, and he was conducted to the Tombs. The wife was advised to call at our office and solicit our aid. She stated that her circumstances were trying in the extreme; herself and six children were in want. At the court of special sessions, before Judge Beebe, we begged his discharge. His honor replied, "If discharged from the charges of abandonment preferred by the wife, then he must be handed over to the commanding officer. If," said the Judge, "you, Mr. agent, will see that officer, and he consents to dispense with his services, I will let him go." We went to Governor's Island, saw the commandant, who informed us that this unfortunate and imprudent man had been reported to Washington as given up to the civil power. Hence he should be satisfied with the clothes without the

person. These facts were submitted to Judge Beebe, and the man was discharged.

No. 94. Had been in city prison for three weeks; he was in a most wretched condition, having no change of linen during that time, and far away from his few friends. The agent examined the papers and books, and discovered that a great mistake had been made somewhere, as in the one he was charged with petit larceny, in the other for vagrancy. We had him brought into court. When asked by the judge, why are you here? he replied, I was hungry, I went into an eating house, called for a basin of soup; after I had taken it I found I had no money to pay for it; a police officer was sent for, I was taken before Jefferson Market police court, and sentenced to the island for three months; by some mistake I am here. Judge Beebe sympathised with this poor fellow, but told him not to eat soup under such circumstances again. He was discharged. We presented him with a trifle to enable him to leave the city and to reach his friends, when he almost danced for joy.

No. 105. Went to Kings county jail, carried four flannel under shirts and some worsted hose to four of the sailors sentenced there for alleged revolt; these unfortunate fellows lost their clothes when first arrested; they expressed great thankfulness for the clothing, the weather being severely cold.

No. 106. A seaman had been confined in city prison 75 days, charged with assaulting the second mate at sea; he stated that they had a few words, when the mate struck him over the head most brutally; that he did not succeed in striking him in return; the affair was but of two minutes duration; all went on well afterward. When the ship arrived in port he thinks the mate was fearful that a complaint would be made against him; to prevent this the seaman was arrested.

We waited on the District Attorney and the Marshal of the U. S. court, calling their special attention to this case; with their characteristic promptitude the papers were examined. There being no witnesses retained for the prosecution, this unfortunate fellow was immediately discharged.

DISCHARGED-CONVICT CASES.

No. 1. Was convicted in New-York city of burglary, and sentenced to Sing Sing for 10 years and 6 months; he served out the term. He says, during the first eight years he was repeatedly punished, the last two years and six months he escaped it by reforming his habits. About this time he was reproved by a fellow-convict for profane swearing and other bad habits; he urged him to confess and forsake his manifold sins; a change mysteriously passed over him, and now, he says, "the things I formerly loved, by the grace of God I hate; I trust my future life will evidence my sincerity." These men had no opportunities of speaking with each other only as they marched to and from their cells to their work. He says, "my keeper was a severe man, and for the least offence, real or imaginary, I was punished. I know I was a hard case. The chaplain is a very good man. I had a good employer." The food, he says, is often very objectionable, want of fresh meat produces disease; the last six or eight months vegetable diet could not be procured; the straw in the beds is changed every two years, the bedding spring and fall.

The punishments inflicted vary according to the offence in some cases, in others to the temper and disposition of the keeper. Strange and bad feelings are sometimes shown, the result of a sort of medicine procured at the hospital, commonly called rum and brandy. The form of punishment most frequently used is the shower bath; in cold weather this practice is most trying, a fellow feels (when the water falls down upon him) as though his neck was broken. The dark dungeon, with only three, and never more than four ounces of bread per day, and water; the iron yoke, heavy and long, with a kind of iron collar round the neck, are both distressing.

This man says, "I don't like the prison at all; from beginning to end it is more likely to drive men from God than to him; I am resolved, the Lord being my helper, to watch and pray lest I fall into temptation. My object in calling here is to get employment." Considerable pains were taken to accomplish this; we helped him along until a place of work was found for him. He has since behaved well; he respects and observes the Sabbath. We have frequent opportunities of seeing both him and his employer; up to this date, a period of seven months, he has characterized the honest man.

No. 2. Was convicted of grand larceny, and sentenced to Sing Sing for five years; served out the whole term. He says, "the discipline of the prison need be pretty tight, or many of the men would cut up sadly, still I think they ought to treat the quiet, decent, industrious prisoner more mercifully than the noisy, dirty, lazy and disobedient. Some of the keepers are unfeeling; these seem to think the faithful performance of their duties consists in watching the eye and lip of those under their charge, if either offend they threaten, and almost as often carry their threats into merciless execution. The food is very poor, worse these last six months than before, miserably so on Sunday; this is the most dreary day of the week—short food, short sermon, short liberty; no friends, no man cares for us; long hours of confinement, long, bad, hard, painful thoughts, with a dreary day and no hope ahead. The chaplain and physician are very good men, when anything is wanted from the hospital we ask and have." He concludes thus, "I hope never to get into a prison again; I will labor to be honest."

We obtained work for this man; he continues to be regular and decent in his habits; his employers speak well of him; he occasionally visits his friends in New-York, he uses no strong drinks, he has thrown over board his former evil associations, and we have hope in his stability.

No. 3. Was convicted of forgery, and sentenced to State prison for 2 years and 8 months. He says he was not punished whilst there; many of the men are very desperate fellows, they may oc-

asionally deserve punishment. He thinks the administration of the prison ought to be under more judicious and enlightened hands. He says, "I deserved all I suffered, and I am determined to avoid a prison in future."

Every effort was made to procure this young man a situation during which time money was advanced him to meet his unavoidable daily expenses. He has been engaged by a gentleman, to whom we introduced him, these last eight months, and has secured his highest approval and commendation.

No. 4. Was convicted of bigamy and sentenced to Sing Sing prison for 2 years and 3 months.

He says "the food has been very bad, not fit to eat; worse the last few months than before; I don't want to find fault, but I do think it too bad that a poor devil should be compelled to work hard for two years and upwards, and then get only a paltry \$4. I think on the whole the prisoners are badly treated. I believe better food and more of it would make them better, the punishments I think injure the health; the shower bath no doubt has driven many men mad, and some (if the truth could be got at,) have lost their lives from its effects. The keepers can punish when and as they please, which is wrong; some of these fellows deserve confinement more than the convicts themselves. The Chaplain and Doctor are good and true, attentive and kind to the afflicted. The discipline may be well enough for some men of notoriously bad character, but to the larger number it is severe. I hate the prison and its oppressions, and their name is many.

He concluded his story thus: "Two wives sent me to Sing Sing once, but all the wives in the United States shall never send me there again."

No. 6. Returns from Sing Sing, where he had been confined for 3 years and 8 months.

He says, "The discipline is very severe; I was repeatedly punished, not for any wilful or perverse conduct on my part, but from my physical inability to do the work and task assigned me. The mode and character of the punishments, in some cases are suited

to the offence, in others they are altogether unmerited, whilst some of the keepers are firm yet kind, others there are, who never listen to the cry of complaint. Men are punished without the knowledge of the warden or Inspector; this is unreasonable and unjust. The food during this last year, has been very poor, bad in quality, and for the last few months short in quantity. Only two short meals on Sunday, breakfast about half past seven o'clock, hash or some other animal food with a small bit of good bread; for coffee, we have, I think, burnt crusts of bread, sweetened with molasses; the dinner we take into our respective cells after worship, it consists of salt pork and dried beans. The chaplain preaches a short sermon in the morning; if one sermon is likely to do good on the sabbath, then more sermons should be preached on that day, as well as one or two in the week. The doctor is a first rate man, when he sees you sick, and no sham, he tries hard to restore you. I have learned a useful lesson; I hope to avoid a prison in future." We obtained a situation for this man promptly.

No. 7. Was convicted in court of general session of burglary in the third degree and sentenced to Sing Sing prison for two years and six months. The warden reports favorably of him. This convict says: "The food is now pretty fair. The bed straw was changed three times during my stay; bedding washed twice a year. The cells are whitewashed semi monthly in summer, and two or three times during the winter. The chaplain visited me four times. The physician is kind and sympathetic."

He was not punished; hence he has no fault to find with the keepers, and speaks favorably of the contractors. He says Mr. Woodruff is a kind man; he does not work the men oppressively hard. His object in calling at the office is to get employment. He says he has no desire to be sent up again.

We introduced him to work, where, we hear, he is doing well.

No. 9. Convicted of grand larceny and sentenced to Sing Sing for two years. He says: "I was punished three times for speaking and failing to get my task done. Some of the keepers are unfeeling and seem to delight in finding fault and punishing those

under them, and merely, I think, because they are so. I like the deputy warden, Col. Sherwood, he is a thoughtful kind hearted man. I often hear complaints of the severe punishments inflicted; the keepers and officers no doubt, find it difficult to get along with some of the men, still I think that those sent up for small offences should fare better than the habitually dishonest and impenitent. I like the chaplain, physician, and the contractor for whom I worked. The warden gave me \$4 when I came out.

This poor fellow's appearance was sadly against him. He had but one old shirt, a colored neckhandkerchief and a pair of pants nicely adapted for a Greenlander. No employment could be obtained for him in this miserable state and condition; every one would recognize him as a jail bird. We supplied him with a few more suitable garments and then introduced him to a gentleman who has a "heart that feels for others woes." He was engaged and has since walked uprightly.

No. 10. Calls and says: "I was in trouble in 1850; had been in Sing Sing for three years. Doctor Russ of your association procured me a place in the country where I have worked steadily for one boss, until two weeks since, when business was dull and I was sent off. I have had many trials and difficulties, the greatest of these was the loss of my wife. She was sick a long time and was then removed by death. I came to New York with my family of four children. I am now in poor health; without work and without money. My object in calling at your office is to solicit your assistance."

It gave us pleasure to relieve his necessities; for which he wept with grateful emotion.

No. 19. Was convicted of grand larceny in this city, and sentenced for 2 years to Sing Sing. He said, "I was clerk to a lawyer in New-York; some hundred dollars were placed in my care to be deposited in the bank, I went out for that purpose, when, in a moment, I was tempted to go to Australia; the suggestion to my mind was so powerful, now that I had the means was the time to start. I went on to Boston that night, I was pursued and arrested there; most of the money was found upon me, and re-

stored to my employer. Immediately after the bank closed I began to repent; I would have given a world, had I one to give, could I retrace my steps; I feared it was too late; oh how I regretted injuring a good man. I have been sorry ever since, and I feel that I can never forgive myself. Had I been honest I might at this moment have been in the confidence of good men, and carving out for myself future success, respectability and usefulness. When in prison I was punished three times. I have no fault to find with the discipline, on the whole I was treated pretty well. The food is better and cleaner since Col. Sherwood came. The books should be changed more often. I regret doing wrong; I have suffered, and shall suffer; may I act right in the future." A letter was sent by this young man to his former employer, begging excuse for the past, he kindly forgave, and promised to help him along in the world.

No. 20. Had been convicted of forgery in the third degree, and sentenced to State prison for three years and six months; when discharged he proceeded to a city some 400 miles from New-York, and has been practising as a physician with encouraging success. Some business called him here, beside which, he has been waiting in anxious expectation of getting a letter and remittance from Germany.

He now wants to get home, but has not means; begs the Association to assist him to enable him to return. The warden, in his report to us, speaks well of this man's habits and character. We aided him with the required funds.

No. 23. Called to solicit advice under very trying circumstances; she was married 15 years since, her husband has treated her with uniform kindness; he is still sober, honest, industrious, and every thing she could wish, earning from \$10 to \$12 per week, a good husband and a good father. But she had acquired a fondness for drink during the last five years; her habits were so ruinous to her family and herself that complaints were made before the police justices, the result was, ten of the last twelve months she spent on the island; she came out yesterday, and felt encouraged to make her first call on us. Her husband had given

up house keeping, the children were put out to board, and she apprehended that he would neither listen to her or believe that she had reformed. She begged us to step in between them, with the most solemn promises that if he would but try her once more she would "cease to do evil and learn to do well." We did see her husband; after some debate, and earnest importunity in her behalf, he said, "she is my wife, and the mother of my children, and as you say, if I shut my door against her there is no hope for her, I will adopt your advice." He did so, and it is our happiness to know they are (to use their own phrase) "both pulling one way"—the right way.

No. 27. An aged, infirm mother, begs our influence in behalf of her daughter, who was committed to the island for disorderly conduct for three months on her complaint; she now sees the folly and wickedness of her past life, and there is reason to hope, if she could be released, she would shudder to do anything that would again consign her to a prison. We waited on the justice, in company with the kind old mother, and procured her daughter's discharge.

No. 35. Influenced by the chaplain of the island, called at our office; he says, "I was once before locked up for theft; this time I was sent there for stealing an overcoat, and stayed three months." His father lives in this city, is in a small business, and a man of excellent christian character; still the son could not go to him, he had given him so much trouble." If he went he greatly feared the door would be shut against him. We wrote the father, beseeching him to follow the example of that parent, who when he saw his son "afar off," but on his return, "had compassion, ran, fell on his neck and kissed him." A reply was immediately sent us, expressive of his willingness so to do, but very fearful the lad would not, could not reform here with his present associations.

The lad was subsequently sent into the country. He has written us several letters, expressing his thanks; he works industriously, abstains from bad company, attends church, and regards the sabbath; hence, we trust, with such defences, he will continue

to avoid evil and its very appearance. The father calls on us occasionally, he believes his son to have reformed, and prays he may never grow weary in well doing.

No. 36. Was sent to the island for four months for petit larceny. He says, "I have paid the penalty sure enough; most solemnly I promise never to get into bad company again; this was the cause of all my trouble. Do put me on the right track to get work, render me some little temporary help, and I will never trouble you again."

We gave him a shirt, coat and cap, and a small amount of cash. He has called upon us since to say that the person to whom we sent him had given him three dollars for three days work, this would enable him to reach Connecticut, where we think that he will do well.

No. 37. Called and said, "he has done no dishonest act since he was discharged from Sing Sing prison two years ago; the police watch him; he has lost two or three places of good work from whispers to his employers. Only last week an enemy of this sort stabbed him in the dark. His boss, who had engaged to keep him through the fall and winter, called him into his office and said, 'you have been to Sing Sing, I cannot keep you.' I told him that bad company had then induced me to go wrong, but that I had, the last two years and six months, walked worthily, and that my study should be still to do right. He replied 'he must part with me for two reasons, his partner desired it, and the men would strike should they hear of it.'" We encouraged him to look up, and aided him to go into the country, where he obtained employment.

No. 41. Was convicted of assault and battery in the court of general sessions and sentenced to Sing Sing prison for two years. He says: "I served out my term and was discharged yesterday, while there I worked in the hat shop. I was punished five times. The food has been first-rate since Col. Sherwood came. Several cases of cholera occurred, since which we had an allowance of tea in the afternoon or for our supper; though very weak it was a delightful change. On the whole I have no cause of complaint.

The warden gave me four dollars when I left. I now want work and shall feel grateful for a little money until I can help myself. We advised him to go to sea; he said that having no chest, no boarding master would accommodate him, there were but few chances for him to get shipped. We placed him at a sailors' boarding house and furnished him with a jacket, pants, cap and two shirts. Within ten days he called and warmly expressed his gratitude for what had been done for him, and to inform us he had succeeded in getting a ship bound to Liverpool.

To avoid trouble in future he signed the temperance pledge.

No. 45. Convicted of grand larceny was sentenced to Sing Sing for four years and nine months. He says: "I was guilty of attempting to steal a gold watch, but did not succeed in my attempt; I was detected and arrested; I served out my whole term; I think the discipline milder now, than when I first went up; I have more fault to find with myself than with others. The warden gave me four dollars when I left; I trust I am a changed character, and shall attempt never to do wrong, and labor to avoid evil habits. When I was arrested the police took possession of two large trunks, one hand trunk, and a carpet bag; these contained two German watches, a breast pin, two gold rings, half a dozen silver desert knives, (in a paper box,) about twelve shirts, and various clothing, handkerchiefs, drawings, etc; these trunks were taken to the Tombs. None of these articles could be identified by persons who may have lost property, as they were mine by honest purchase.

Accompanied by him we applied for this property; we were told it was not now there. This young man is in a good situation where we trust he will prove honest and worthy.

No. 46. Was convicted of burglary in Sullivan county and sentenced to Sing Sing prison for five years. He says: "I served out the whole of my term; I was employed in the female department as waiter; I was not punished during the five years; I have no complaint to make against any person there. When I left the warden gave me \$5.20; where to go, or what to do, I knew not. I think the State should allow the poor fellows a larger sum

when they come out of prison. I consulted the doctor and the Inspector, and when I made up my mind to come to your office, they said "If you cannot get work through the Association then return here and we will somehow provide for you."

This poor man was near 70 years old; there were no prospects of getting him employment, we therefore rendered him some pecuniary aid to return.

No. 47. Calls to say he should leave this city to-morrow; three years since he left Sing Sing prison, where he had served five years for grand larceny. The Association introduced him to a kind hearted man for employment, there he remained, until this hour, occupying a position of trust, and responsibility, collecting large sums of money and on all occasions had secured his confidence and respect. To the uncle of his late employer and friend he was now engaged at a salary exceedingly liberal. He presented his unfeigned acknowledgments for all favors received from the Association.

No. 49. Was convicted of grand larceny in the court of general sessions and sentenced to Sing Sing prison for two years.

He says political troubles alone led him to leave his own country; he had conducted a respectable business there, the proceeds of which, about \$1,100, he brought here with him. On his arrival he succeeded in obtaining a situation which he filled with satisfaction to his employers for full five months, when this charge was made against him. He was arrested and fully committed for trial.

He states "Soon after I was lodged in the Tombs, the police officer who had arrested me called and advised me to get bail, he said, I can find you good bail if you are willing to pay me for my trouble, give me \$30 and \$10 to the man, and you shall be bailed out right away, this sum I paid. I was urged by another person to provide myself good counsel; one was named and strongly recommended, he came to see me; his fee was \$25, this I paid; to another who felt for me, I paid a fee of \$10. I was bailed out at the end of four months I was arraigned; and although I paid my counsel an extra \$10, and my interperter \$4, still I was found

guilty and sent up. My counsel promised to forward a petition for my pardon; but I was forgotten. I stayed the two years and I have lost all I possessed, I solemnly protest my innocence of the charge; I am here without a second shirt. We aided this poor fellow. His former employers, have again engaged him, we confidently hope he will do well, he called upon us since; all right.

No. 52. Was convicted in the court of general sessions of burglary and sentenced for two years to Sing Sing, he served out the term, and was discharged last week.

He says "I was guilty of the charge; this was the first dishonest act of my life, habits of intemperance ruined me, I formed evil associations, which led to shame and degradation, I am discouraged; I am ashamed to look up, fearful of being recognized.

My wife, a good woman, and family reside in this city; they are straitened in their circumstances and my return will increase their difficulties; I wait on you soliciting some employment and the loan of a trifle till then." We cheerfully complied.

No. 53. Calls and says he was convicted of passing a counterfeit \$100 bill and sentenced at the court of general sessions to Sing Sing for five years. "I served out the term; but most solemnly declare I never saw or handled that bill, I knew nothing of it directly or indirectly; when discharged I went to Cincinnati where I remained until last September, when I was engaged to go to Philadelphia, there I was recognized by a former keeper in Sing Sing. He had me arrested for being in company, as he said, with a pickpocket. After lying in prison for ten weeks, the grand jury threw out the bill and I was discharged. I am far from home, without either money or friends, and incapable of traveling by reason of this cruel treatment.

We were instrumental in speedily procuring this unfortunate man a situation in the country; we supplied him with warm clothing, besides some pecuniary aid, for which he appeared to feel grateful. He is still in the situation, (now three months,) sober, honest and industrious.

No. 59. Had been on the island for six months on charge of petit larceny. It was his first offence. His mental disquiet was almost intolerable whilst in prison, knowing that his poor wife and family were often without their daily bread. He appears to shudder and dread a prison and seems determined to avoid evil habits for the future.

Willing to believe him sincere we rendered him some pecuniary help, and furnished him with suitable clothing. We put a little work in his way. He now hopes to see better days.

No. 62. Was convicted of stealing a shirt, and sentenced for two months to the island. He calls upon us conscious of his degradation and resolves never to commit himself again. We assisted him with money for ten days. He is now at work where we placed him, doing pretty well.

No. 63. Was convicted of burglary in the third degree and sentenced to Sing Sing for two years. "I was not punished during my stay there; all that I have to say is, I have suffered a deal for the first crime; I will never suffer for the second. The warden gave me \$4 when I came out a week since. I am now hungry and want employment." Some of his friends had arrived here since his incarceration, they are now at Philadelphia. We assisted him to go thither.

ALBANY COUNTY.

The undersigned, by an order of the Hon. William Mitchell, one of the justices of the Supreme court, and in compliance with a resolution adopted by the executive committee of the Prison Association of New-York,

REPORTS,

That he visited and inspected the Albany county penitentiary in the month of September last. This institution is under the able superintendence of Capt. Amos Pillsbury, who was for a long time at the head of the State prison in Connecticut. Of his reputation and qualifications for the position he occupies it is unnecessary for me to speak; they are well known to the community generally, and are abundantly attested by the success which has attended his labors in the department of benevolence, for such it may emphatically be styled, to which he has devoted the energies of his life. As a sketch of the penitentiary at Albany may not be uninteresting in this connection, I have concluded to embody one in my report, and have for that purpose availed myself very fully of a sketch recently published in one of our city journals, and kindly furnished to me by Capt. Pillsbury.

The penitentiary is located on an elevation about half a mile distant from the capitol. The quantity of land in connection with the prison is about twelve acres. The centre building is four stories high, basement included, with a front of 50 feet and a depth of 75, and is occupied in front by a residence for the superintendent, his family and subordinate officers; in the basement, as kitchen and laundry; on the first story, rear, as guards' room and matrons' room; on the second story, rear, as male and female hospitals, (25 feet by 32 feet each, with a dispensary attached),

and on the third story, as a chapel, 36 by 48 feet, finely fitted up, and furnished with pulpit, seats, &c., in which divine service is held every sabbath. The sexes are separated while at chapel service by a partition 6½ feet high.

Two wings are attached to the centre building, one for males, which is 150 feet long, and the other for females, 100 feet long and 50 feet wide, exclusive of the large octagonal towers which flank them. The interior of the south wing forms a spacious hall, 148 feet long and 32 feet high, in the centre of which is a massive block of 176 cells, four tiers in height, in the stair cases and surrounding galleries; these cells are each on the inside, 7 feet by four, and 7 feet high, supplied with iron bedsteads, and other and necessary furniture, and a separate and distinct ventilator. The doors are made of round iron bars, which, when closed, admit of as much air and light as when open. The hall surrounding this block of cells is sixteen feet wide, well ventilated, light and airy. Besides the cells above enumerated, there are ten large cells in the octagonal towers, making in all 186 cells in this wing, which is appropriated exclusively to the male convicts. In the north wing, occupied by the females, is a block of 80 cells, similar to those above described, with eight large ones in the octagons, making a total of 88 cells. The whole prison contains 274 cells or dormitories, of which 256 are used for ordinary purposes. By adding the hospital beds to the computation, the prison is competent for the safe keeping of full 300 prisoners. A brick wall, 14 feet high, extends 105 feet beyond the wings, parallel with the front, and runs thence 200 feet in the rear on each side, and encloses the buildings used as the workshops of the male convicts. This wall is surrounded by sentry boxes and a sentry walk, which commands a view of the entire yard, and of all the doors of the workshops, and is traversed by an armed sentry from daylight until sundown. The workshops are two in number, each 150 feet long by 28 feet wide, and are occupied by the male convicts, who work at seating cane bottom chairs. The whole establishment is warmed by hot air furnaces, and furnished with a copious supply of water, which is distributed, both hot and cold, to all parts of the prison.

The dimensions of the prison, including wall and yard, are 460 feet front and rear, and 250 deep, covering an area of nearly three acres. All the buildings are constructed of brick and stone, and are intended to be fire proof.

I also avail myself of the same sketch for an account of the internal arrangement of the prison.

At sunrise the officers are all assembled in the hall surrounding the block of cells; at a signal every door is unbarred, unlocked and thrown open, and the prisoners step out into the gallery; at another signal all begin to descend the stairs in regular order, and take their places on the broad stone floor of the hall; at the word of command the leader of the file folds his arms, and each other man places his right hand upon the right shoulder of his fellow preceding him, the rank then close up, the officer gives the word "right up, forward," and 200 men march out with one tread, and take their places in the workshops, where they remain at work until breakfast time, which is six in the summer and seven in the winter. In the mean time their breakfast has been prepared by a few of the females, and distributed by a few of the old male convicts, who are either too infirm or too slow to be advantageously employed in the shops, and usually consists of bread, rice, corn, beef or pork, as the substantials, and tea or coffee, molasses, pepper and salt as the condiments. The same arrangements obtain relative to the distribution of the two remaining meals, a half hour being devoted to each of the three. At sundown some animal soup is added to the morning meal, and corn, mush and molasses, or rice and molasses, form the evening meal each day.

The amount of labor which each man can perform without taxing his powers to such an extent as to produce absolute fatigue, is ascertained as soon after his entry into the prison as possible, and ever after that, during the remainder of his sentence, the same amount is exacted of him.

Each cell is supplied with a bible, portions of which are read and expounded to each prisoner in person by the chaplain who visits the prison daily. On the sabbath divine service is held in

the chapel, which every prisoner, whose health will permit, attends. All unite in the psalms and hymns and give a due and respectful attention to the preaching of the Gospel, and frequently under its faithful administration by the esteemed incumbent of the chaplaincy, the best effects are witnessed. The subduing and winning influences of its gracious proclamations of forgiveness even to the chief of offenders are manifest even amid these sons of crime.

At the time of my visitation to the Penitentiary, the report of the inspectors for the present year had not been made. It may here be remarked, that the Mayor and Recorder of Albany and the board of supervisors of the county are by law, associated for its government.

From the Report for the year 1853, I will give the following statistics:

Nine hundred and fifty persons were committed to the penitentiary during that year, and seven hundred and six were discharged, leaving in confinement at its close 244 prisoners, of whom 67 were females.

Two thirds of those committed were of foreign birth. The commitments for vagrancy and petit larceny have diminished, while those for assaults and disorderly conduct have largely increased. Among the whole number but two were found who had received anything like a thorough education—one half could not write, and more than one third could neither read nor write.

Only twenty-seven professed total abstinence principles. The remainder acknowledged themselves to have been more or less intemperate.

One-fifth were about the age of manhood; one-half were over 30; one-quarter over 40, and of these two-thirds were more than 50 years of age.

The average number in confinement throughout the year was 240, of whom 69 were females. The greatest number of prisoners were committed during the summer months. The least number during the fall and winter season. For the last three

years, the commitments during the month of August have exceeded those of any month in the year. Throughout August the prison had 300 inmates daily.

But two deaths occurred, and those early in the year. Among a constantly average population of 240, during the last ten months of the year, not a single death occurred. The proportionate mortality of the penitentiary was only one fourth that of the surrounding city and country.

This last fact leads me to speak of one feature of the penitentiary under Capt. Pillsbury's management, which impressed me perhaps more than any other, and that was its perfect neatness and cleanliness—the influence of these upon the health of its inmates is abundantly attested by the remarkable fact of its almost entire freedom from mortality during the year 1853, and such I am informed is very nearly its history for the current year.

The foregoing statistics in reference to the inmates of the penitentiary, go to show conclusively, that intemperance and ignorance are still as they ever have been the fruitful source of crime and vagrancy, and that we can never expect to be free from the blighting influences of either intemperance or ignorance until more effective measures are adopted for their suppression.

I append to my report a copy of the rules, regulations and by-laws for the government and discipline of the Penitentiary which I deem worthy of publication in connection herewith.

I would merely add in conclusion that the Albany Penitentiary is not only a self-supporting, but it is a *paying* institution, it having earned over and above supporting itself, during the year 1851, 1852 and 1853, more than six thousand dollars.

Respectfully submitted,
CHARLES A. DAVISON,
Committee.

ALBANY COUNTY PENITENTIARY.

RULES AND BY-LAWS

For the government, regulation and discipline of the Albany County Penitentiary; established by the Board of Supervisors of the county of Albany, and the Mayor and Recorder of the city of Albany, in joint meeting assembled on the 26th day of December, 1848 [under and by virtue of the law of the Legislature of the State of New-York, for the construction of a penitentiary, &c., in the county of Albany, passed 13th of April, 1844]. His Honor, the Mayor, John Taylor, in the chair, and the Recorder, Deodatus Wright, Secretary.

The principal keeper, or superintendent of the penitentiary, shall have the entire control and management of all its concerns, subject to the authority established by law and the rules and regulations adopted for its government. It shall be his duty to obey, and carry out, all written orders and instructions that he shall from time to time receive from the proper authorities, and he shall be held responsible for the manner in which the said penitentiary is managed and conducted. He shall reside at the penitentiary, and examine daily into the state thereof, visit every apartment, and see every prisoner confined therein, as often as good order and necessity may require. He shall exercise a general supervision and direction, in regard to the discipline and police of the prison, and to the business concerns thereof, shall make all purchases for the support of the prisoners and proper management of the institution, and shall superintend all the business carried on, and labor done, in and upon the buildings or land belonging to or connected with the institution.

It shall be the duty of the Superintendent to select and employ one person who shall be styled deputy keeper, who shall be his principal assistant, and in the absence of the superintendent,

clothed with, and exercise all his powers, so far as relates to the discipline of the penitentiary and the safe keeping of the prisoners. He shall also nominate (to be approved of, or appointed by the board of inspectors,) one overseer, or assistant keeper, to each branch of business carried on, and such number of persons for watchmen or guards as may be necessary for the safe keeping of and for guarding the penitentiary, to hold their respective places during the pleasure of the superintendent. Such assistants and guards shall be under the government of the superintendent, and subject to his orders, who shall oversee and direct them in their several duties, and shall make such rules for their government, and for the government of spectators and others who may be admitted within the prison or yards, or who may be found lurking or loitering without, upon the lands belonging to the establishment, as circumstances may require, provided they are not incompatible with the laws of the State, or the rules and regulations adopted for the general government of the penitentiary.

It shall also be the duty of the superintendent to cause the books of the penitentiary to be so kept as clearly to exhibit the state of the prisoners, the number received and discharged, the number employed in grading and cultivating the land and other out door work, and the number employed in each branch of business carried on, with their earnings, together with the expenditures of each branch or department; and he shall make out a quarterly cash account, in which he shall specify minutely, the persons to whom, or from whom, moneys have been paid or received, and for what purpose, with an abstract of vouchers for all expenditures, which, with the vouchers, he shall prepare and lay before the Inspectors, for them to examine and audit at their quarterly meeting at the end of every three months at the penitentiary. And the superintendent may, and he is hereby authorized to draw on the county treasurer from time to time for such sums as may be necessary to defray the expenses of the institution, and for its necessary maintenance and repairs; said drafts to be approved of and countersigned by the Inspectors, or by a majority of them; and the county treasurer is hereby authorized and directed to pay such drafts, so countersigned, whenever the

same are presented. He shall close his accounts and books of the penitentiary, and balance the same on the last day of October in each year, and render a report exhibiting a comprehensive view of all the transactions of the penitentiary during the preceding year, showing the amount of labor performed, and the earnings and expenditures of each branch of labor at which the prisoners may have been employed, together with the profit or loss accruing or resulting from the same.

He will also see that the prisoners are treated with humanity, that the sick and complaining have proper medical and other attendance, and that they are supplied with such food and medicines as may be prescribed and necessary.

All prisoners received by the principal keeper, or superintendent of the penitentiary, shall be safely kept for the term for which they may be sentenced to confinement, and shall be employed in the grading, cultivation, and proper management of the land belonging to the institution, or at any other work which the Inspectors shall direct for the proper maintenance and best interests of the establishment.

The clothing of the prisoners, on their reception into the penitentiary, shall be taken from them, and (if worth preserving) restored to them on their discharge. On their entrance into the establishment they are to be thoroughly cleansed, and clothed in the prison dress, which will be, for males, a jacket, vest and pantaloons, made of coarse cloth, with a cap of the same material; they are also to have woolen socks, with coarse leather shoes; their shirts shall be made from stout cotton cloth, and changed once a week. For females, a checked linsey frock and skirt, cotton check apron and neckerchief, shoes and stockings, and the usual under clothes. Each prisoner shall have an iron-frame bedstead with iron sacking bottom, straw mattress and pillow, (and in winter one comforter) and two blankets, one night bucket, one water can and one spoon, knife and fork. The corridors of the prison shall be sufficiently warmed in cold weather with proper fires. Each prisoner on his or her discharge (if they have no clothes to be returned to them) shall, at the discretion of the

superintendent, be furnished with a cheap laborer's dress, and with a sum of money, not exceeding one dollar, to enable him or her to find work for his or her support.

The prisoners, after receiving their rations, shall eat in their cells, and observe such rules; in relation thereto, as shall be directed by the superintendent.

The rations or daily subsistence of the prisoners shall consist of one pound of salt or corned beef, four days, three-fourths of a pound of salt pork, or three-fourths of a pound of salt fish one day, and one pound of fresh meat, made into soup, two days in each week. One pound of bread, made of good wheat middlings, for breakfast and dinner each day, and one-third of a pound of corn meal, made into mush, with half a gill of molasses, for supper; there shall be four bushels of potatoes, carrots or turnips, for every one hundred rations, and a sufficient quantity of salt, pepper and vinegar, with such alterations from time to time as may be deemed necessary and approved of by the Inspectors.

The prisoners shall be required to labor diligently the whole time they shall be out of their cells, and in going to and from their cells they shall observe such order as may be directed by the superintendent; they shall be required to communicate with their keepers in a respectful manner, and with the greatest brevity; they are not to converse with each other, or to be allowed to hold intercourse with any person not belonging to the institution, unless by permission and in the presence of the superintendent or his deputy; they must conduct themselves with perfect order, and in strict compliance with the directions of their officers. *Silence, order and regularity* must reign; they must be industrious, submissive, obedient, and labor diligently in silence. In their cells they must also be silent, speaking to no person except in the event of sickness, in which case they can make it known to the officer on duty. The officers are not to treat the prisoners with harshness or anger, but while a spirit of mildness is to prevail, they are nevertheless expected to be firm and consistent in the discharge of their duties.

Each prisoner shall have a Bible and Hymn-book in his cell, and such other books, or tracts, as may be furnished for their use, and they will be required to attend service in the chapel every Sabbath, and also such other religious and moral instruction as may be provided for them; at all other times during that day they shall remain in their cells.

The chaplain to the penitentiary shall have the privilege, and it shall be his duty to visit at any and at all times the male prisoners when in their cells, or in the hospital, to instruct and teach those that cannot read, and to administer to all such advice, instruction, and consolation as he may deem best calculated to promote their reformation; and at all proper times he shall endeavor to impress upon their minds the justice of their punishment, and the necessity of a strict compliance, on their part, with the rules of the establishment.

He shall attend and perform such service in the chapel on every sabbath day, at such hour or hours as shall be designated by the Superintendent, with the prisoners, male and female, who shall be assembled for that purpose.

He shall not furnish the prisoners with any information or intelligence in relation to secular matters, except by permission of the Superintendent; nor shall he have any other intercourse with the prisoners, than such as shall be necessary and proper in teaching them to read, and imparting such moral and religious instruction as shall be best calculated to promote their subordination, reformation and spiritual welfare: nevertheless, he shall endeavor to learn, in visiting the prisoners in their cells, so much of their past history and present views and feelings, as will enable him to adapt his instructions and reproofs directly to their individual cases and circumstances. He will keep in mind, that by visiting the prisoners in the solitude of their cells, by personally teaching the illiterate, and by explaining to all, individually, their moral and religious duties and obligations, he will confer upon them benefits far greater than any which can *alone* be received by them, from his labors and services, while they are congregated for the customary public worship, on the sabbath.

He shall not receive from, or confer any present upon the prisoners; nor shall he have any dealings with them, nor shall he take to them or convey from them, any letters from or to their friends, or others; nor write, or otherwise become the medium of communication between them and their friends, or others without the consent and approbation of the Superintendent.

He shall in all cases conform to the general rules and regulations adopted for the government of the Penitentiary; and it shall be his duty, annually, to render a report to the Inspectors of his proceedings for the year, with such remarks and suggestions in relation to the intellectual, moral, and religious condition of the prisoners, as he may deem important or necessary. Sectarian preferences in matters of religious belief are disclaimed. If any prisoner desires communication with the minister or instructor of his particular faith, on proper application to the Superintendent, and at his discretion, it shall be allowed, under and in conformity with the general regulations of the Penitentiary. But such minister, or instructor, on such occasions, must in all things conform to the rules and restrictions laid down and enacted, as the duty of the Chaplain; any infringement, or departure from which, will deprive him from future intercourse with the prisoners.

The Physician shall visit the Penitentiary at least every other day, and personally examine every sick and complaining prisoner that may be reported to him as such, or whom he may find in the cells or hospital; and shall prescribe such medical treatment as their cases require. He shall also visit the Institution daily, or oftener, when the condition of the sick require it; and when sent for, shall at all times repair immediately to the Penitentiary.

He shall keep a book, to be called "Hospital Register," in which shall be entered the names of all the prisoners sick or complaining, requiring medical treatment, with their disease and his prescription therefor. When a prisoner dies, he shall record the nature of the complaint and all the circumstances connected therewith that he may deem proper or necessary.

He shall in all cases direct the diet to be prepared for the sick, and if it should so happen that the direction or prescription of

the Physician should not be properly attended to, he shall report the same to the Superintendent, that proper measures may be taken to prevent future neglect or inattention.

He shall at the close of each year make out and furnish to the Board of Inspectors a report, or statement, showing the amount and nature of the sickness which has prevailed, and the deaths that have occurred during the year, with such remarks in relation to the condition and treatment of the sick, as he may deem necessary or expedient. He shall conform to the general rules and regulations of the Penitentiary.

There shall be employed by the Superintendent a Matron and one Assistant Matron, to the Female Department, who shall reside at the Penitentiary, and attend to the labor and conduct of all the female prisoners. All the rules and regulations required to be observed and enforced by the subordinate officers having charge of the male prisoners, as are applicable to the females, shall be enforced by the Matrons under and by direction of the Superintendent.

The Matron shall personally superintend the cooking, washing and ironing of the whole establishment; also the weighing and measuring of the rations for the day, as established by the rules and regulations. And it shall be her duty to attend to the division of the daily food into rations, and to see that it is ready and in proper order to be served to the prisoners at regular meal time.

The Matrons shall cause the cells, kitchen, workrooms, and every part of the establishment under their care, to exhibit perfect neatness and order, and at all times to be ready for the inspection of the Superintendent, Inspectors, and others who may visit the institution.

It shall also be the duty of the Matrons to endeavor to teach those who are unable to read, and to administer such moral and religious advice and instruction to them, as shall be calculated to promote order, decorum, propriety of behavior, and reformation. They shall assemble the female prisoners in the chapel every Sabbath day for divine service and other religious instructions, and it shall be the duty of the Matron to see that every prisoner under

her care is furnished with a Bible and Hymn-book, and such other books or tracts as may be furnished by the Chaplain or Superintendent.

For any violation of the rules of the prison by the female prisoners, the Matron shall confine them in their cells, and report the offence to the Superintendent, that he may give her such instructions in regard to punishment, or correction, as the nature thereof may require.

The Matron, and Assistant Matron, shall each keep a book, containing the names of all the females under their charge, with a table showing every day's labor performed, and also the articles made and work done for the Penitentiary or for others, which book shall be deposited in the Superintendent's office at the end of every month.

The Superintendent is authorized to employ and permit the use of weapons by the keepers or guards of the prisoners, to put down insurrection by force, and to prevent escapes *at all hazards* from the Penitentiary.

The object of this Institution being to effect the moral reformation of the culprit, punishment will be resorted to as rarely as necessity will admit; the rules of the Prison are nevertheless to be preserved and maintained inviolate, and all infractions thereof or any resistance to the lawful commands and authority of the keepers, shall subject the offender to solitary confinement in a darkened cell, and to rations of bread and water, (or to be showered with cold water) at the discretion of the Superintendent; no such confinement, however, shall exceed ten days for any one offence, and in every doubtful case the proper medical authority shall be consulted.

Three Inspectors shall be appointed by the Board of Supervisors, and the Mayor and Recorder, in joint meeting now assembled according to law, who shall have the supervision of the Penitentiary; one of whom shall hold his office for one year, one for two years, and one for three years, from the first day of March next as shall be designated; and hereafter there shall be annually ap-

pointed, in the same manner, one Inspector who shall hold his office for three years from the first day of March then next ensuing. Said Inspectors, now first appointed, shall enter upon the duties of their office immediately.

It shall be the duty of the Inspectors to visit the Penitentiary jointly at least four times in each year, to examine and audit the accounts of the Superintendent, to inquire into all matters connected with the government, discipline and police of the prison, the punishment and employments of the prisoners, and to make such rules and regulations as they may deem expedient and necessary, provided, however, that such rules and regulations shall not conflict with the laws of the state, or with the general rules and regulations now adopted by this joint meeting.

It shall be the duty of the Inspectors *individually*, to visit the Penitentiary once in each month, or oftener, as they deem necessary; to diligently examine and inquire into the condition of the prison and prisoners; each Inspector shall keep a journal of his visits and proceedings, and shall report the same to the Inspectors at their next joint quarterly meeting.

The Inspectors shall approve of, or appoint, on the nomination of the Superintendent, all the subordinate officers employed at the Penitentiary, and shall fix their compensation. They shall also appoint a Physician and Chaplain, and prescribe their payment, who shall hold their offices during the pleasure of the Inspectors.

The Inspectors shall annually, on or before the first day of December, render a report to the Board of Supervisors and Mayor and Recorder, in joint meeting assembled, showing the state and condition of the Penitentiary, and the prisoners confined therein, the amount of money drawn from the treasury and otherwise received and expended; together with all the transactions of the Penitentiary during the year preceding. The Inspectors may also communicate, in the same manner, with the authorities aforesaid, at any other time and on any subject connected with the Penitentiary, whenever they deem it to be necessary.

In case of the death, resignation or refusal to serve, of any one or two, of the Inspectors appointed, the remaining one or two In-

spectors, as the case may be, shall have the power to fill the vacancy or vacancies so occasioned, and designate the term for which he is or they are to serve; which appointment or appointments shall remain valid until the joint authorities direct otherwise.

The Inspectors shall receive no pecuniary compensation for their services whatever. It shall be an office of honor.

The general features of the system established for the discipline and government of the Penitentiary, are exhibited in the foregoing rules and by-laws; but the details and routine of duties necessary on the part of the subordinate officers, to carry them into practical effect, have been established by the Superintendent in accordance with that system, as follows, viz.:

ROUTINE OF DUTIES

Detailed by the Superintendent, for the Instruction and Government of the Subordinate Officers of the Albany County Penitentiary, pursuant to the provisions contained in the Rules and By-Laws, adopted by the Mayor, Recorder, and Board of Supervisors, in joint meeting assembled, December 26th, 1848.

DUTIES OF DEPUTY KEEPER.

The Deputy Keeper will, under the direction of the Superintendent, take the principal charge of the prisoners, both by day and by night.

He must see that the assistant keepers perform faithfully the duties assigned to them.

He must be present at the opening and closing of the Penitentiary; see that the food of the prisoners is properly cooked and divided; attend to the clothing of the prisoners, and see that it is whole and in proper order.

He must also assist the Superintendent in receiving and discharging prisoners, and keep a record of the same.

He must spend the whole day in a general supervision of the assistants and prisoners; direct them in their duties and labors, and report to the Superintendent all neglect of duty on the part of any of the assistants; receive reports from the assistants, of all

disobedience or violation of the *rules*, and report the same to the Superintendent; and in his *absence*, the Deputy has the power and authority that is conferred upon the Superintendent, so far as relates to the discipline of the Prison and the safe keeping of the prisoners.

The Deputy Keeper will at all times have a superintending care over all the affairs of the Penitentiary, and especially of its police, and will be held responsible to the Superintendent that his orders and directions are strictly and promptly observed; and to this end he must be always present at the Penitentiary, by day and by night, that he may be able, during the evening and night, to see that all is safe, and that the assistant or guard on night duty is vigilant and faithful.

He shall see that persons visiting the prison, are treated with attention and politeness, and that they are admitted and conducted through the several departments at all proper times.

Visitors will be charged 12½ cents for admission.

It shall be his duty generally, to see that the whole establishment exhibits throughout, neatness, good order, and cleanliness.

He shall every afternoon cause to be examined, the blankets, beds, furniture, locks, doors, and the cells generally, to see that they are not injured, by any attempt to escape from the cells, and whenever he discovers any thing wrong, he shall take down the number of the cell with the offence committed, and report the same to the Superintendent immediately.

He shall also attend upon the Physician, at his regular visits to the Prison, shall take him to see every prisoner who may be sick or complaining in the cells or hospital; shall send to the several shops for all who may have reported themselves as ill; and he shall also attend personally to the directions and prescriptions of the Physician, and see that they are duly observed and administered.

He shall also report to the Superintendent before 9 o'clock every morning, the names of any convicts remaining in their cells, with the number of the cell opposite each name, together with

visits

their complaint, and shall spend his whole time in the performance of the foregoing duties, unless otherwise directed, in which case he shall perform all and every other duty or service, as may be directed by the Superintendent.

DUTIES OF THE CLERK.

The officer who shall act as Clerk, will assist the Superintendent in keeping the books and accounts of the Penitentiary. He shall register all prisoners when received, and enter their discharge when released from confinement, and do all other writing that may be required of him.

He will also assist the Superintendent in the purchase of supplies, &c., as he may be directed, and when not thus employed, he will perform such other duties as may be required of him by the Superintendent or his Deputy.

He will generally attend to showing and conducting strangers and others who may visit the Institution, through the establishment.

DUTIES OF ASSISTANT KEEPERS AND WATCHMEN.

It shall be the duty of the assistants and guard to be at the Penitentiary during the whole time, day and night, unless they have leave of absence; to be vigilant and active in the performance of all duties and services for the safety and security of the prisoners and Penitentiary, as shall be directed by the Superintendent or his Deputy.

They shall refrain from all immoderate and boisterous conduct, conversation or discussions upon any subject, *while in the presence of the prisoners.*

They shall maintain towards each other and all persons visiting the Institution, a gentlemanly deportment.

They are not to leave their shops or other posts on any pretext, without being relieved.

They will not suffer a prisoner to pass the prescribed limits, except in charge of a proper officer; and it shall be their duty to

keep their arms and weapons clean and in order, ready at all times for use; and they are constantly to keep in mind that it is required of them, at all hazards, to prevent any prisoner from making his escape.

They are not to hold any conversation with a prisoner, except to direct him in his labor and duty; nor shall they receive from or deliver to a prisoner any article or thing whatever, without the knowledge and consent of the Superintendent or his Deputy.

They shall keep a list of the men under their charge, with the number of the cell each prisoner occupies opposite his name; and upon locking up, morning, noon, and night, shall note the absence of any prisoner from his cell, and immediately report the same to the Superintendent or his Deputy.

They shall march their men to and from their cells in close order, taking the lock step, and shall use their utmost endeavors to enforce perfect non-intercourse and obedience to all the rules and regulations necessary for their government.

They shall require from the prisoners an uniform, sober, orderly and humble deportment.

It shall be their duty to instruct them in their labor and in the rules necessary for their government, and they shall admonish them upon the least appearance of insubordination, and report them for correction to the superintendent or his deputy whenever they shall refuse to obey orders or neglect their duty.

They shall not allow the prisoners to make any inquiries relative to any subject not immediately connected with their duty, employment or wants.

They shall not allow the prisoners to speak to or hold any conversation with each other, or to leave their work without permission; nor shall they allow them to speak to or gaze at visitors, but see that they are constantly employed and that they labor diligently in order and in silence.

It shall be the duty of the guard having charge of the hall while the prisoners are in their cells, either at meal time or during

the night, to keep moving round the block of cells, with socks on, in a silent manner, that he may be able to detect any unnecessary noise. And it is again strictly enjoined upon him not to hold the least conversation with the prisoners, or to suffer them to speak to him, except to make known their immediate necessary wants, and to use his utmost exertions to suppress noise of any kind, and to report to the superintendent or deputy any violation of the rules and regulations of the penitentiary by the prisoners while in their cells.

They shall not, while on duty in the shops, on the wall, or any other post, on any pretext whatever, sit down, but be constantly on their feet and strictly and vigilantly observant of the prisoners, and not for a moment have their attention abstracted from the object of their charge, but be in readiness at all times for any exigency.

It will be the duty of each assistant and guard to perform his night tour as he may be directed from time to time by the superintendent.

No assistant or guard will be allowed to leave the premises at any time without permission of the superintendent, or, in his absence, of the deputy keeper.

Spirituos liquors shall in no case be brought to or used upon the premises by any assistant or person while employed at the penitentiary.

The hours of labor for the prisoners will vary according to the season of the year. In the summer, or long days, the cells will be unlocked and the prisoners set at work at sunrise, they will cease labor and return to their cells at 6 o'clock P. M.

In the winter, or short days, the hours will be so arranged as to embrace all the daylight.

DUTIES OF MATRON AND ASSISTANT.

The matron and assistant will have the charge of the prisoners in the female department. The cells of those employed in cooking will be unlocked by the matron at 4 o'clock A. M. in summer,

and at 5 o'clock during the rest of the year; they are to be employed in cooking and washing, under the constant and immediate supervision and direction of the matron.

The assistant matron will have charge of the female prisoners employed in the work-room in making and mending clothes for prison use, and other work, who will be taken from their cells when sufficiently light for them to labor.

All the rules and regulations required to be observed and enforced by the subordinate officers having charge of the male prisoners, as are applicable to the females, shall apply to and be observed by the matron and assistant, as far as the same is practicable.

The duties of matron and assistant may be found more in detail in the general rules and by-laws established for the government of the penitentiary.

DAILY ROUTINE OF DUTIES.

At daylight a small bell will be rung for the male prisoners to rise, dress, put up their bedstead, bed and bedding, and for the officers, who will immediately repair to the guard room. When it is sufficiently light the deputy keeper will give the signal for manning the walls, and the assistants will take the keys, go to their several divisions, and await the signal, upon hearing which they will unlock the cell doors, and march their men with the lock-step to their respective shops, and other places of labor. The prisoners will immediately commence work, and also begin at a given point in the shops to wash, which each man will do in regular order before the breakfast hour.

At 7 o'clock the bell will be rung for breakfast, the prisoners will stop work, form into a line in their shops, and await the signal of the bell, when they will be marched into the prison yard, and form a line in rear of their buckets. At the word *right*, each man will turn to the right; at the word *up*, each man will take his bucket upon his left arm, they will then form into sections in close order, as marched from the shops; at the word *forward*, they will march in the same manner to the hall and to their

cells, and be immediately locked up. Each officer will then report the number of men in his charge to the deputy keeper, who on finding it right, will give the signal, and the watchmen will then leave the wall and repair to the guard room; all the officers will then go to their meal, except one in the hall and one in the guard room, who will be relieved in turn. From half to three quarters of an hour will be allowed, when they will be again marched to their work, and there remain till 12 o'clock; the signal will then be given for dinner, and they will again be marched in line, and in the same manner, into and around the hall to their cells, the same as at breakfast. Time allowed for dinner in summer one hour. At 1 o'clock they will be marched to their shops, and work till 6 P. M., when they will again form a line in rear of their buckets, and the word given by the deputy keeper as in the morning and at noon.

The officer then in the hall will at a proper time light up, examine each lock and door, count the prisoners, and report the number to the superintendent or deputy. At half-past 7 the signal will be given, and each prisoner will retire to bed; the officer on duty will again examine the doors and see that all are abed. He will be relieved by the watchman or assistant, who takes what is called the middle tour, the watchman taking the morning tour, or from half-past 2 till light, relieves him. The above officers will be required, while doing duty in the hall, to be constantly moving around the cells and upon the galleries, to see that all is quiet and in good order. If any sickness or disorder takes place, he will call the watchman in the guard room, who will acquaint the deputy keeper, who will immediately repair to the hall, and take the necessary measures for the relief of the sick or the suppression of disorder.

The deputy keeper will spend the whole day in visiting the several shops and departments, see that every officer performs his duty, attend to the wants and complaints of the prisoners, and have a constant supervision of all the internal affairs of the prison.

AMOS PILSBURY,
Superintendent Albany Penitentiary.

SUBJECTS OF INQUIRY IN THE EXAMINATION OF PRISONS.

N. B.—In examining a County Prison, the condition of the building, with reference to the ground on which it stands, and other external circumstances affecting the health of its inmates; its position as to adjacent buildings; the materials of which it is constructed, and those also of the cells; and the whole of the occupancy of the building, should all be carefully noted. A plan of the building and grounds, is also desirable.

1. What is the average number of prisoners? During the year, 209, (for year ending Oct. 31st, 1854.)
2. How many white males? 143.
3. How many colored males? 8.
4. How many white females? 53.
5. How many colored females? 5.
6. How many committed more than once? 206 during the year.
7. For what periods previously committed?
8. How many blacks re-committed?
9. How many whites re-committed?
10. How many commitments of black and white males and females during the year?—distinguishing each. 487 white males, 26 black males, 152 white females, 7 black females.

EMPLOYMENT.

11. What number of prisoners is engaged in each particular trade or employment? 121 chair seating, 60 saddlery hardware, 12 grading lands, 37 waiters, barber, cooking, washing, sewing, etc.
12. What are the gross proceeds of each particular trade or employment? Will send you our report when printed.
13. What are the net proceeds? \$1545.22 (balance or profit) for year ending Oct. 1854.

EXPENDITURES.

14. What is the entire annual expense of the institution? \$14755.20 for the year ending Oct. 30, 1854.
15. What the cost of ordinary repairs? \$156.31.
16. What the cost of extraordinary repairs? \$1034.72 (included in expenditures for year.)
17. What the cost of new erections?

18. How much paid for rations? \$6661.79.
19. How much for clothing and bedding? \$720.13.
20. How much for tobacco? About \$100.
21. How much for salaries? \$4,100, (besides the salary of Superintendent, which is \$2,000.)
22. How much for guard? (Included in above salaries.)
23. How much for building materials?
24. How much for materials for manufacturing—distinguishing different kinds?
25. How much for medicines? Included in Physicians' salary.
26. How much for bedding? Included in clothing account above.
27. How much for fuel? About \$1200.

RECEIPTS.

28. What are the entire annual receipts? \$16,300.42, for the year ending Oct. 31, 1854.

PARDONS.

28. What the number of convicts pardoned during the year? 19.
30. How many white? All.
31. How many black? None.
32. How many of each sex?
33. What the term for which each prisoner pardoned, was committed, the crime, length of actual confinement, and the grounds upon which he was pardoned?

DEATHS.

34. How many deaths during the year? Three.
35. How many of each sex? All males.
36. How many of each color? All white.
37. How many deaths of each disease? One general debility, one inflammatory rheumatism, one suicide.
38. How many entered diseased? Two.
39. What were the diseases with which they entered? General debility, venereal, etc.
40. Did the same disease produce their death? It did.

41. What was the term for which each convict dying was convicted, and the length of time in prison? 2 for 6 months, one was here 5 months and 29 days, one six weeks and the other who was sentenced for 2 months cut his throat when his time was half expired, insane.

CELLS.

42. What is the average temperature of the cells in winter, and what in summer?
43. What are the dimensions of the cells? 7 by 4 and 7 feet high.
44. Are they well lighted and ventilated? They are.
45. How are they lighted? *Large outside windows and open gated door.*
46. How are they warmed? Stoves and furnaces.
47. Are they damp or dry? Dry.
48. Is every cell provided with a Bible and slate? With a Bible and other books.
49. How many cells in the prison, and what the cost of construction of each cell? 186 in male wing, 88 in female wing; cost of cell about \$50, without the cost of the outside buildings or land.
50. Is there more than one occupant ever assigned to a cell? No.
51. Are night-tubs used in the cells, or what other provision is made for satisfying the wants of nature? Night tubs are used.
52. Are the cells free from vermin? They are—except as they are sometimes brought from the jails.

PUNISHMENTS.

53. What punishments are inflicted? Shower bath and solitary confinement.
54. Is the "Cat" used, and if so, what is the greatest number of lashes ever inflicted? It is not.
55. What is the usual number inflicted?
56. Is the douche or bolt-bath ever used, and with what results? No.

57. What other punishments are inflicted? No other.
 58. By whom are punishments directed? The Superintendent.

59. Has each keeper a discretionary power to inflict punishment, and if not, how is his discretion limited? They have not, they must report any misdemeanor to the Superintendent or his Deputy, and they inflict such punishment as they think proper.

60. What has been the usual effect of punishment on those who have been subjected to it? Good. Very seldom that we ever have to punish a prisoner a second or third time.

61. How many stripes inflicted each month?

EDUCATION AND CIVIL CONDITION.

62. How many could only read on entering? 143.

63. How many could read and write? How many neither? 306 read and write, 223 neither.

64. How many had a common education?

65. How many well educated? Very few.

66. Is there any provision for daily instruction? Not any, except what instruction they receive from the chaplain in his visits to them in their cells.

67. Is there a choir in the prison? There is.

68. Is there a library for the prisoners? Yes, (a small one of a few books.)

69. How many had father only?

70. How many had mother only?

71. How many had both parents?

72. How many religiously educated?

73. How many were intemperate? 634.

74. How many were temperate? 38.

75. How many were married? 287.

76. How many were single? 385.

77. How many with families?

78. How many Americans? 257.

79. How many foreigners? Distinguishing Irish, German and other nations. 13 Scotch, 3 French, 2 Welch, 1 Portuguese, 2 Spain, 257 Irish, 29 Germans, 24 English, 20 Canadians.

80. At what age was the first offence committed?

81. At what age committed to prison? 115 under 20; 216 20 to 30, 164 30 to 40, 133 40 to 50, 54 over 50.

DIET AND CLEANLINESS.

82. What is the daily bill of fare for the week? See rules and regulations.

83. Are any variations made in diet corresponding with the seasons? They are.

84. Is the food always of a plain but wholesome quality? Yes.

85. Do prisoners eat in their cells or at a common table? In their cells.

86. How many times are they fed in a day? 3.

87. Is the prison abundantly supplied with good and wholesome water? It is, by the city water works.

88. Are the prisoners allowed conveniences for washing, morning and evening? They are.

89. How often is the bedding changed? As often as is necessary.

90. Are there any conveniences for bathing? Yes.

91. How often do the prisoners shave, and have their hair cut? Once a week shave, hair cut once each month.

CLOTHING.

92. How often changed? Weekly.

93. Is it sufficient in quantity? Yes.

94. Is it in any way peculiar, either in fashion or color? Yes. Striped shirt, black and red pants and jackets.

95. Is a Sunday dress provided for each prisoner? No.

MISCELLANEOUS.

96. Is there any classification of the prisoners, and if so, how classed? No.

97. Who are permitted to visit the prisoners, at what hour and under what regulations? Their relatives once a month in the presence of the Superintendent or his deputy.

98. How much money is given to each prisoner on his discharge? Sufficient to carry them home.

99. Are tickets of admission to the prison sold for the benefit of the prisoners? No.

100. What are the opportunities for moral and religious instruction? Divine service one hour every Sunday, and visit from the chaplain at the door of their cell remainder of the day and during the week.

101. Is there a chaplain to the prison? There is.

102. Are the prisoners allowed to converse in the presence of the keepers, or is strict silence enforced? Silence is enforced—strictly.

103. What the average length of confinement? About 4 mos.

104. How many prisoners laboring under insanity? 4.

105. How many prisoners entered insane? 4.

106. Are the prisoners allowed to write and receive letters from their friends, and if so, under what regulations? They are, once in each month.

107. What the average length of sentences? About 4 months.

107. What the causes for committing the offences of which they are convicted? Intemperance.

REPORT OF JAMES H. TITUS' VISITS TO JEFFERSON, ST. LAWRENCE, FRANKLIN, CLINTON, AND WESTCHESTER COUNTY JAILS.

The undersigned a committee appointed by resolution of the executive committee of the "Prison Association of New-York:"

REPORTS:

That, under orders from Hon. Wm. Mitchell, justice of supreme court, he visited and examined the prisons of Jefferson, St Lawrence, Franklin and Clinton counties in the month of November last, and, under order from Hon. R. H. Morris, justice of supreme court, the prison of Westchester county in the early part of this month.

The prison of Jefferson county is situated at Watertown in the suburb, on an elevated site; a two story building, adjacent to the court house, erected distinct from it specially for the confinement of prisoners, and solely appropriated to that purpose. The cells are constructed in a block two stories high, in the centre of the building with halls on each side; ventilated and lighted from the windows in the outer walls: with commodious stairway and corridors communicating with the upper cells. The dimensions of the cells are sufficiently commodious, but the ventilation and light deficient, being only what can be received from the halls through the grating of the doors.

The undersigned was not able to pursue, to any satisfactory extent the examination of this prison, nor to make the inquiries necessary to obtain desirable statistics relative to it and its inmates, as the sheriff was particularly engaged, and could not give his attention. He, however, politely invited another visit when he would afford all information desired; but as this could not be done without great inconvenience to the committee, it was declined,

and an arrangement made that the sheriff should at his convenience, furnish a written statement of all information and statistics desired. From some cause this engagement has not been performed by the sheriff. The general observations made, during the short visit, induced the committee to think the domestic affairs of the prison were well conducted, and proper care given to the personal wants of the prisoners. There was evidently no arrangement for classification or separation of prisoners; nor established measures pursued with a view to the moral instruction or reformation of the prisoners.

St. Lawrence County Prison.

This prison is in the village of Canton; it is in no particular suitable for its purposes. The executive committee will recollect that in a report by the undersigned, as a committee of examination, made December, 1853, the defects and insufficient accommodations of the building were specially noticed, with an account of the committee's appearance before the grand jury of the county, in relation to the same, and a copy of the presentment to the court made on the same day. The undersigned was greatly surprised on his present visit to find that no change or improvement of the building had been made. The grand jury concluded the presentment above mentioned in these words: "The committee of the Prison Association of New-York have to-day visited our jail, and we are obliged to admit those strictures upon its insufficiency are well grounded. We recommend that a new and improved building be erected, and ask your honorable court to make this expression to the next Board of Supervisors." It is really a matter of surprise and regret that a community possessing the intelligence and wealth of St. Lawrence county should continue to disregard a public evil thus seriously and officially brought to their notice.

This prison is under the charge of Reuben Nott, Esq., sheriff of the county, who resides, with his family, in the building. The appearance of the cells, and the report of the inmates, warrant a repetition of the commendation, bestowed in the last report, on the care and attention given by him and his family to the prisoners. No accommodations exist for separation or classification,

nor for any efficient measures for reformation or for proper prison discipline. The deficient accommodations of the building, and the defective arrangements of the cells, necessarily throw all the inmates into a promiscuous group, and afford no opportunity for exertions in behalf of their moral welfare; all that can be done, under existing circumstances, by those having charge of the prisoners, is to see that the necessities of life are regularly supplied, and that no escape from the cells is effected.

The sheriff afforded the following information and statistics relative to the prison, viz:

Total commitments of black and white males and females during the year, 125; white males, 104; colored males, 4; white females, 16; black females, 1.

Total commitments, 7, who had been previously committed, as follows, viz: one for 10 days; two for 15 days; one for 20 days; two for 30 days, and one for 60 days, all white, no colored person having been recommitted during the year.

Average number of prisoners, 11.

Total number of cells, 10; double cells, 6; single cells, 4. Dimensions of cells, $3\frac{1}{2}$ by 7 feet, with ceiling 9 feet high. Cells lighted and ventilated very imperfectly from a window at each end of the hall. All the cells open into this contracted hall, and in it during the day the entire community of prisoners congregate; at night they are locked into cells, occasionally more than one in a cell. They appeared to be dry, and free from vermin, and special care is taken to keep them so, and in as healthy a condition as the circumstances will allow. Whitewash and lime frequently and freely used, and the night tubs regularly emptied and cleansed. There was no serious sickness during the year.

Of the total number 28 could neither read nor write; 77 could read and write; 20 had good common education; none had been well educated.

The civil and social relations of the prisoners, as far as noted, appeared as follows, viz: Americans, 65; Irish, 26; French, 12; English, 7; Canadians, 11; Scotch, 2; Dutch, 2.

6 had only fathers; 11 only mothers; 40 both parents; 40 stated they had been religiously educated, (20 of them of the Roman Catholic faith;) half of the number claimed to be temperate, the others allowed, or were known to be intemperate; 45 known to be married, the others single, or claimed to be so; 35 had families.

Diet.—Pork or corned beef and potatoes with bread twice a day; bread or mush and milk once a day. Some variations according to the seasons and other circumstances. Meals furnished on a table in the hall attached to the cells three times a day, with good water in abundance, and conveniences for washing, morning and evening. Bedding changed every second week. No facility for bathing. Shaved once a week, and hair cut when required. Under clothes changed and washed every week, and deficiency of clothes supplied. Tobacco allowed at a cost of about \$10 per annum.

No established provisions for moral or religious instruction, and no system pursued for the reformation of the prisoners, nor efforts made with special view to the improvement of prison discipline. Newspapers and miscellaneous books often sent in by acquaintances, religious tracts and Bibles by charitable associations.

Friends are allowed to visit prisoners during the day. Candles are placed in the hall during the evening, at 9 o'clock removed, and prisoners locked in their cells.

The committee on approaching the prison found a person in conversation with one of the prisoners at a window in the hall, which is so situated as to afford ready and easy communication with the street. This is one of the very many defects of the building, all of which create great embarrassment to the jailor, in any efforts he may desire to make in the line of proper prison discipline.

Franklin County Prison.

This prison is in the village of Malone. A fine new stone building, of which a particular description can be had by reference to

report by undersigned, as a committee, Dec. 23. 1853. The commendations bestowed on the character of the building, and on the domestic concerns of the prison, contained in that report, the undersigned feels warranted to repeat in this, but considers it unnecessary. The exception there made relative to a neglect in proper attention to the night tubs has been remedied.

The sheriff was able to afford only the following statistics, viz:

Total number of commitments during the year 49; for assault and battery 14; drunkenness 11; disorderly conduct 5; breach of license law 8; petit larceny 8; grand larceny 2.

Civil relations as follows, viz: natives 17; Irish 18; Canadians 14. Of the whole number 43 males and 6 females, all white.

Average number in prison 5, recommitals during the year 4, all for drunkenness, commitments for drunkenness confined from one to two days. At the time of the committee's visit, but three in prison, all for disorderly conduct, all natives, two men, (one fifty years old, the other thirty-eight years) and one woman nineteen years old.

There has been no serious sickness during the year; no natural death; one execution; medical attention given by an appointed physician.

The sheriff receives \$2.00 per week for the board of the prisoners, and supplies regular meals three times a day from his own kitchen, of good wholesome food. The under clothes of the prisoners, and their bedding regularly changed and washed.

The prisoners spend the day time together in the hall attached to the cells, and have the privilege of conversing with their friends through the grating of the door of the hall. There was one escape during the year, occurring from a momentary inattention of the jailor to the door of the hall, the prisoner was not retaken.

No religious services provided, seldom any volunteered, excepting in the late case where two young men were sentenced to death for murder, on which occasion the Episcopal clergyman of the village was particularly attentive, as likewise a venerable Presby-

terlan pastor; no special provision for moral instruction or reformation; books and papers often supplied by the acquaintances of the prisoners, bibles and religious tracts by charitable associations; no concern is manifested by the community, nor by the court of the county, for improvement in prison discipline.

The sheriff stated that he had received no blank forms from the Secretary of State for the records of the prison, but keeps them in a common day book or blotter.

Clinton County Prison.

This is in the village of Plattsburgh; the wretched and insufficient accommodations of which, as it has heretofore existed, was a subject of particular remark in the report by the undersigned, as a committee, made December 23d, 1853. It will be recollected that in that report, the committee stated an opportunity was afforded him to appear before the board of supervisors, who then had the subject of an improvement of the prison under their consideration, and that he freely expressed his opinion of the shameful unfitness of the building and its arrangements. It is a satisfaction to the undersigned to be able to state in this report, that at the time of his late visit he found extensive additions and improvements being made, which, when completed, will render the building much more suitable for its purposes than it ever has been, still in its new condition, it will not be sufficient, either in capacity or arrangement, to answer the requirements for proper prison discipline. Under the new arrangement there will be eleven cells $7\frac{1}{2}$ by 5 feet, with ceiling 7 feet high, all communicating with a hall 33 by 9 feet. The ventilation and the light for the cells derived solely from the door and windows of the hall, which though much better than formerly, still will be deficient. In addition to these cells, two apartments in the upper part of the building will be appropriated for female and debtor prisoners.

At the time of the committee's visit there were but three prisoners, a Canadian on charge of murder, another Canadian for jail breaking, and an Irishman for burglary.

The undersigned was unable to obtain the statistics of this prison, in consequence of the absence of the jailor at the time of his

first call, from the deranged state of the building, and not having time to remain on his second call, he however left blank forms of inquiries and records to be filled up and forwarded in time for this report but they have not been received.

From such inquiries as could be made under the circumstances, the following general information was obtained, viz: average number in prison seven, all white, not more than three or four females during the year. Jailor receives \$2.50 per week for board of each prisoner; supplies the meals three times a day from his own kitchen; food, in character and quantity, sufficient, so much so as to be entirely satisfactory to the prisoners, who eat in their cells or in the hall, as they may choose; bedding and under clothes changed and washed weekly; prisoners shave themselves when they wish, are supplied with facilities for washing every morning and oftener if they desire; no provision made for religious services, seldom any volunteered, only on one occasion during the last year, that by a female friend who preached a sermon to the prisoners, which the jailor said appeared to be well appreciated; he said it was much to be regretted that such opportunities could not be more frequently had by the prisoners; no provision for moral instruction or reformation; no efforts for improvement in prison discipline either by the county, nor by individuals of the community.

Westchester County Prison.

This prison is in the town of Whiteplains. The basement of the court house is divided by a hall, on each side of which there are four cells; these apartments constitute the county prison. The cells are large, and designed to accommodate two prisoners; the ventilation and light deficient, and the arrangement for heating entirely insufficient for cold or damp weather. The sheriff resides in the upper part of the building, and has the charge of the prisoners. He was absent at the time of the committee's visit, which prevented him from obtaining the information and statistics desired. From such inquiries and observations as could be made a favorable opinion is entertained of the care and attention given to the personal wants of the prisoners, and of the diligence had in keeping them secure. This service, probably, in the estima-

tion of the sheriff, is the full measure of his duty, not that this remark should imply any special delinquency on his part in other respects as a jail keeper, on the contrary, the general appearance of domestic affairs about the prison compares favorably with any that has fallen under the observation of the undersigned; but here, as in all the other jails visited by your committee, no provision was found for religious services, no efforts for moral instruction or reformation, no apparent efforts for improvement of prison discipline. At the time of the visit there were nine prisoners in the jail, eight white males and one white female, occupying five of the cells, leaving three cells unoccupied. The regular practice, as ascertained from a person in attendance, being to allot two prisoners to each cell, without any reference to empty cells, separation being regarded only with reference to the sex. From this practice it is readily inferred that *economy of expense* and trouble is thought of greater importance than any consideration applicable to proper prison discipline.

A letter was left for the sheriff, with the order of the Supreme court, a full statement of the object of the visit given, and request made to have the blank forms of inquiries and records filled up, and forwarded in time for this report, but no response has been received.

The undersigned unhesitatingly expresses the opinion that the prison of Westchester county is totally inadequate for the judicious treatment of prisoners, and wholly deficient in arrangements required for proper prison discipline. It is well known that Westchester is one of the most thriving, populous, and wealthy counties in the State, and it certainly appears very inconsistent that its citizens should be thus delinquent in one of their most important public duties.

The undersigned regrets the untoward circumstances which have prevented him from furnishing in his report more complete and accurate statistics of the prisons visited. The result of his observations as regards the personal condition of prisoners is, that the officers having them in charge exercise as much attention and consideration as can be expected from them under existing state

of circumstances connected with our prison affairs. The appropriations and accommodations provided by the public for prisoners do not contemplate any thing beyond the necessities of life and secure confinement; when this has been performed, jail keepers consider they have fully done their duty, and consequently no effort for reformation of prisoners, no attempts at improvement of prison discipline, no provision for moral or religious instruction are found to prevail in the county jails. There is a lamentable indifference and culpable neglect on the part of citizens with reference to their duty in connection with prisoners. If the subject was rightly apprehended by the public, in connection with a proper civil policy to be pursued, or justly appreciated by individuals according to the dictates of humanity, or viewed by the christian community in the light of its religious responsibility, surely the old evils of our prison houses would be abolished, and the present delinquency of our citizens in that portion of their public duties would be amended. "*In prison and ye came unto me,*" is one of the christian graces for which our Savior represents the king as commending those on his right hand in the great day, and whom he will recognize before an assembled world as the blessed of his father.

In conclusion, the undersigned will repeat the remarks with which he closed his report of December 23, 1853. "The prevailing opinion in the community as to the duty of society in prison matters seems simply to be, that offenders against law should be caught, condemned, imprisoned and punished at the smallest possible expense. The matter of reformation in connection with prison discipline, (to say nothing of considerations applicable to sound policy or common humanity,) does not appear to enter into the thoughts of our citizens.. This is indeed a pernicious and lamentable state of affairs to be found prevailing in a christian community."

All which is respectfully submitted by your committee.

JAMES H. TITUS.

February 26, 1855.

Columbia County Prison.

Hudson, 9th month, 8th, 1854.

DR. JA'S RUSS, *Corresponding Secretary,*
Prison Association.

DEAR FRIEND,—On the 6th instant I inspected the jail of Columbia county at Hudson; it is well located in an open airy position; the soil is clayey, and it appears to be sufficiently drained. The jail is miserably insecure; as an evidence of it I may mention that it is utterly impossible to keep a knowing prisoner in it without chaining him. At one time the jailor met one of his prisoners in the open street, on accosting him he said he meant no harm, that he was going directly back as soon as he had taken a little exercise and procured a little gin, which he found necessary to his comfort. The jailor of course carried him back, and compelled him to discover the place of his egress. He had made a hole through the wall, and by slipping the stone backward and forward he could go in and out at pleasure; by ramming the mortar round the crack he concealed the spot completely. There have been over twenty escapes within the last four years. The public have access to the front windows, and by this means tools are easily conveyed to the prisoners. There are no means of inspecting the prison from any part of the building except by unlocking the door and going in; this gives the prisoners a good opportunity to make preparations for escape. As soon as they hear the key in the lock they conceal their operations, and before the jailor gets to them everything is in its place. There is no ventilation in the cells; on unlocking them in the morning the stench is horrid; this is the case when there is but one man in a cell, when there are two it is much worse. There is no water closet in the prison, the night tubs are carried out into the yard, which increases the opportunity for the prisoners to escape, and they are not provided with tight covers. The prison and the prisoners are kept tolerably clean. There is no classification except of males and females. The prisoners are turned out in the areas in the morning, and have unrestricted intercourse all day, mutually corrupting each other, instructing each other in the secrets of crime, playing cards and drinking. They can procure liquor

Security of

easily from the outer windows. There is no complaint with regard to food, they are probably too well fed to answer the ends of justice. The prison has been indicted over and over again by successive grand juries, but no action as yet has been taken by the Supervisors.

I regret that I cannot fill the blanks more fully with regard to education and civil condition, but the jailor's books afforded no data on the subject, and there is no other source of information accessible to me.

Thine truly,

JOHN STANTON GOULD.

HUDSON JAIL.

1. What is the average number of prisoners? Ten, for the year from Sept. 1st 1853, to Sept. 1st, 1854.
2. How many white males? 608. 3. How many colored males? 81. 4. How many white females? 75. 5. How many colored females? 35. For the year from Sept. 1st, 1853, to Sept. 1st, 1854.
6. How many committed more than once? Not ascertained.
7. For what periods previously committed? "
8. How many blacks re-committed? "
9. How many whites re-committed? "
10. How many commitments of black and white males and females during the year?—distinguishing each. Not ascertained.

EMPLOYMENT.

11. What number of prisoners is engaged in each particular trade or employment? No employment except cleaning the jail.
12. What are the gross proceeds of each particular trade or employment? Nothing.
13. What are the net proceeds? Nothing.

EXPENDITURES.

14. What is the entire annual expense of the institution? \$2310.50, distributed as follows:—Turnkey's fees 6s, \$594.75. Board, 20s. per week, \$1,502. Cleaning and white-washing, \$78. Attending sick persons, \$20. Emptying buckets, \$91.25. Straw, \$4. Clothing and bedding, \$15.25.

PARDONS.

29. What the number of convicts pardoned during the year? There have been no pardons from this prison during the time embraced in this report.

DEATHS.

34. How many deaths during the year? None.

CELLS.

42. What is the average temperature of the cells in winter, and what in summer? Cannot be ascertained.

43. What are the dimensions of the cells? 5 to 6 by 8 feet.

44. Are they well lighted and ventilated? Not well lighted nor well ventilated.

45. How are they lighted? Windows in the front wall and the gratings of the doors.

46. How are they warmed? By stoves in the area.

47. Are they damp or dry? The lower tier damp the upper dry.

48. Is every cell provided with a Bible and slate? No.

49. How many cells in the prison, and what the cost of construction of each cell? 13 cells used, 19 in all, 6 not used.

50. Is there more than one occupant ever assigned to a cell? Yes.

51. Are night tubs used in the cells, or what other provision is made for satisfying the wants of nature? Yes, night tubs are used.

52. Are the cells free from vermin? Yes at present, but bed bugs are often in them and sometimes lice.

PUNISHMENTS.

53. What punishments are inflicted? Dark cell occasionally, but generally confinement in their own cell through the day.

54. Is the "Cat" used, and if so, what is the greatest number of lashes ever inflicted? No.

56. Is the douche or bolt-bath ever used, and with what results? No.

57. What other punishments are inflicted? None.

58. By whom are punishments directed? The jailor.
59. Has each keeper a discretionary power to inflict punishment, and if not, how is his discretion limited? No one but the jailor inflicts punishment.

60. What has been the usual effect of punishment on those who have been subjected to it? Confinement in the cell always subdues them.

EDUCATION AND CIVIL CONDITION.

62. How many could only read on entering? 63. How many could read and write? How many neither? 64. How many had a common education? 65. How many well educated? None of these questions can be answered from the books. There were four men and one woman in the prison at the time of my visit, (Sept. 6th, 1854,) none of these had any education except one man who could read imperfectly.

66. Is there any provision for daily instruction? No.

67. Is there a choir in the prison? No.

68. Is there a library for the prisoners? No.

69. How many had father only? None. 70. How many had mother only? 1. 71. How many had both parents? None. These answers apply to those in prison when I visited it.

73. How many were intemperate? All in the prison at the time of my visit.

74. How many were temperate? None.

DIET AND CLEANLINESS.

82. What is the daily bill of fare for the week? Same as the jailor's family, and as much food as they ask for. There is no particular bill of fare.

83. Are any variations made in diet corresponding with the seasons?

84. Is the food always of a plain but wholesome quality? Those in prison were quite satisfied with the fare.

85. Do prisoners eat in their cells or at a common table? They eat in the area but have no table.

86. How many times are they fed in a day? Three times for seven months, twice for five months.

87. Is the prison abundantly supplied with good and wholesome water? There is a cistern of rain water in the prison. Drinking water is supplied from without in pails.

88. Are the prisoners allowed conveniences for washing, morning and evening? They are.

89. How often is the bedding changed? Once a fortnight.

90. Are there any conveniences for bathing? None.

91. How often do the prisoners shave, and have their hair cut? Each one shaves when he pleases.

CLOTHING.

92. How often changed? Every Sunday.

93. Is it sufficient in quantity? It is.

94. Is it any way peculiar, either in fashion or color? None.

95. Is a Sunday dress provided for each prisoner? No particular dress for Sunday.

MISCELLANEOUS.

96. Is there any classification of the prisoners, and if so, how classed? Only classification is male and female.

97. Who are permitted to visit the prisoners, at what hour; and under what regulations? All respectable persons are allowed to visit the prisoners.

98. How much money is given to each prisoner on his discharge? From 25 cents to 50 cents, when necessary.

99. Are tickets of admission to the prison sold for the benefit of the prisoners? None.

100. What are the opportunities for moral and religious instruction? None.

101. Is there a chaplain to the prison? None.

102. Are the prisoners allowed to converse in the presence of the keepers, or is strict silence enforced? They talk as much as they please.

103. What the average length of confinement? About one week.

104. How many prisoners laboring under insanity? Two.

105. How many prisoners entered insane? Two.

106. Are the prisoners allowed to write and receive letters from their friends, and if so, under what regulations? Yes, just as they please, but the keeper reads them.

108. What the average length of sentences? Ninety days.

107. What the causes for committing the offences of which they are convicted? A very large proportion for drunkenness.

Dutchess County Prison.

Hudson, 10th month, 8th, 1854.

Dr. J. D. Russ, Corresponding Secretary,
Prison Association.

In conformity with my appointment to the inspection of the Dutchess county jail at Poughkeepsie, I visited it on the 6th of 10th month. It is situated on the southern end of the court house; there is no building in contact with it, but the office of the surrogate is built so near as materially to obstruct the air and light from a portion of it. The jail is divided into three stories, each of which contains four cells, each 14 by 16 feet, communicating with a corridor; the cells are separated from each other by thick stone walls, so that it is difficult for the prisoners in one to communicate with those of the other; the doors of the cells are of thick oak plank, and the lock shoots into the oaken frame of the door; the window of each cell is about four feet square, and is guarded by iron bars on the outside; the interior glass windows open from the middle towards the jambs; the cells are over arched with stone. I was told that few escapes had been made from this prison, but it appeared to me that escape from it was very easy. I saw the wall where an attempt had been made to penetrate it, the stones were small, and widely separated by mortar, which might be easily picked out with a case knife. Each corridor is separated from the other, which admits of a better classification than can be obtained in most jails, yet none seems to be attempted. Boys of ten years old are mingled indiscriminately with veterans in crime. The women are locked in a separate cell, but it opens into a corridor where the male prisoners are walking about, and of course oral communications can be held at all times of the day. Each cell is furnished with a very large night tub, furnished with a loosely fitting cover, and of course an unpleasant odor is diffused through it. One of the prisoners complained of suffering from cold during the last winter, but the jailor assured me that the jail was sufficiently

warmed even during the coldest weather. The man was a reckless, bad fellow, and very probably told a falsehood. I think, however, that the air must be impure, since the furnace is in the cellar, and it has no access to the external air, hence the air diffused through the jail must be nothing but the damp and vitiated air of the cellar. One of the cells is used as a privy where the night tubs are emptied, and is in a very filthy condition, and emits a most fetid stench. The jailor informed me that the persons living in the neighboring houses had complained of it to the grand jury as a nuisance. The prisoners are fed but twice a day, even in summer; this interval between meals is obviously too long.

There is no regular bill of fare, but the dinner I saw prepared on the day of my visit was abundant and wholesome; it consisted of fresh beef boiled, boiled beans and rye bread; no tea or coffee is allowed. In the long days of summer I think the practice of giving only two meals a day is objectionable, as the interval is too long, and the stomach must be weakened; another objection is, that when the meals are served the prisoners are apt to overload their stomachs; being thus attacked by emptiness on the one hand, and repletion on the other, the organ will be likely to become permanently injured during a long confinement.

I am unable to give any information with regard to the medical history of the prison, as the physician was absent during the whole period of my visit.

There are no bedsteads in any of the cells except one, which is reserved for those who are confined for violations of the excise law, the other prisoners sleep on the floor, or rather on straw mattresses placed on the floor.

The very objectionable practice prevails here of allowing the prisoners to burn candles at their own expense; much danger arises from this practice as well as from allowing them to keep lucifer matches.

Other information in regard to this jail is given in the printed form which I transmit herewith. I regret that the way in which

the books are kept prevents the possibility of giving more full answers to the queries.

I am bound to bear testimony to the politeness and attention of the jailor, who cheerfully did all in his power to promote the objects of my mission.

In view of the known intelligence and humanity of the citizens of Dutchess county, there can be no doubt that if the evils arising from the present jail were known to them, they would cheerfully incur the expense of erecting a new one, which would be more creditable to the county and more consistent with the claims of humanity.

JOHN STANTON GOULD.

Poughkeepsie Jail.

1. What is the average number of prisoners? 20. There is no distinction made on the jail books between black and white. There have been committed to this prison from August 1, 1853, to August 1, 1854, 205 males and 40 females. Recommittments not ascertained from the books.

EMPLOYMENT.

11. What number of prisoners is engaged in each particular trade or employment? No work.

PARDONS.

29. What the number of convicts pardoned during the year? None.

DEATHS.

34. How many deaths during the year? None.

CELLS.

42. What is the average temperature of the cells in winter, and what in summer? Not known.

43. What are the dimensions of the cells? 12 by 12 feet.

44. Are they well lighted and ventilated? Most of them are well lighted, but there is no attempt at ventilation.

45. How are they lighted?

46. How are they warmed? By a furnace in the cellar the corridors are heated.

48. Is every cell provided with a Bible and slate? No. Bibles frequently provided but soon destroyed.

49. How many cells in the prison, and what the cost of construction of each cell? 11 cells and one used as a privy.

50. Is there more than one occupant ever assigned to a cell? Yes, from one to four.

51. Are night tubs used in the cells, or what other provision is made for satisfying the wants of nature? Night and day tubs are used.

52. Are the cells free from vermin? Bedbugs. Lice sometimes brought.

PUNISHMENTS.

53. What punishments are inflicted? Confinement in a dark cell and chained to floor.

58. By whom are punishments directed? By the sheriff.

59. Has each keeper a discretionary power to inflict punishment, and if not, how is discretion limited? No.

60. What has been the usual effect of punishment on those who have been subject to it? Generally a good effect; dark cells answer best.

DIET AND CLEANLINESS.

82. What is the daily bill of fare for the week? Nothing regular.

83. Are any variations made in diet corresponding with the season? Yes.

84. Is the food always of a plain but wholesome quality? Yes.

85. Do prisoners eat in their cells or at a common table? In their cells.

86. How many times are they fed in a day? Twice all the year round, 8 o'clock and 2 o'clock.

87. Is the prison abundantly supplied with good and wholesome water? No, it is brought from the outside.

88. Are the prisoners allowed conveniences for washing morning and evening? Yes.

89. How often is the bedding changed? As often as they are dirty.

90. Are there any conveniences for bathing? No.

91. How often do the prisoners shave and have their hair cut? Once a week shave, hair cut as often as necessary.

CLOTHING.

92. How often changed? Once a week.

93. Is it sufficient in quantity? Yes.

94. Is it any way peculiar either in fashion or color? No. Jean coats.

95. Is a Sunday dress provided for each prisoner? No.

MISCELLANEOUS.

96. Is there any classification of the prisoners, and if so, how classed? None except males and females; neat, prisoners are kept by themselves.

97. Who are permitted to visit the prisoners, at what hour, and under what regulations? Any respectable person in the day time, always an officer accompanies them.

98. How much money is given to each prisoner on his discharge? None.

99. Are tickets of admission to the prison sold for the benefit of the prisoners? No.

100. What are the opportunities for moral and religious instruction? None. Ministers sometimes call, but the prisoners object to it and laugh at it.

102. Are the prisoners allowed to converse in the presence of the keepers, or is strict silence enforced? Yes.

103. What the average length of confinement? Sixty days.

104. How many prisoners laboring under insanity? Four.

105. How many prisoners entered insane? Four.

106. Are the prisoners allowed to write and receive letters from their friends, and if so, under what regulations? Yes, but they are read by the sheriff.

Greene County Jail.

HUDSON, 11th month, 10th, 1854.

Dr. J. D. Russ, *Corresponding Secretary,*
Prison Association.

On the 9th I inspected Greene county jail, at Catskill. It is situated on a hill, the ground sloping from it in every direction. A drain conveys away the contents of the privy and other filth to a distant ravine; there is a good well of water in the yard and a rain water cistern also. The building is of brick, the cells are lined and floored with two inch oak plank, and the doors are made of the same material; straps of iron are nailed at intervals over the planks; the windows are secured with three sets of gratings. The doors have a small diamond shaped opening, through which food is handed to the prisoner; they are fastened by two iron bars, one at the top, the other at the bottom; one end of each bar is confined to a staple, and the other is fastened by a padlock; there is a narrow area of lattice work in front of each cell, which separates them from the main hall, the door through which is secured also by a padlock. The windows of the cells look out on the street, and communication with outsiders is thus rendered easy by both day and night. The beds are of straw; no bedsteads are provided. The fuel burned is wood; one common box stove in each cell. The cells were clean and comfortable, but an expert burglar could not be confined in them without chaining. Only two persons were in confinement at the time of my visit. One was an Irishman, committed for assault and battery; the other a negro boy of fourteen, for an assault, with intent to commit a rape. There have been no escapes during the past year, but there have been several in previous years, they have been effected by sawing the plank and digging the mortar from the bricks. For other information I refer to the answers to the printed queries. As in the Poughkeepsie jail, lights are sometimes allowed to prisoners who pay for them.

JOHN STANTON GOULD.

Catskill Jail.

1. What is the average number of prisoners? The average number for the past year is six.
2. How many white males? 54,
3. How many colored males? 15, } From August 1, 1853,
4. How many white females? 3, } to August 1, 1854.
5. How many colored females? 0, }

EMPLOYMENT.

11. What number of prisoners is engaged in each particular trade or employment? None, except sometimes sawing wood for the jail.

EXPENDITURES.

14. What is the entire annual expense of the institution? \$1,400 for the past year.
19. How much for clothing? \$15.00 for the past year.
21. How much for salary? \$250.00 for jailor's salary.
27. How much for fuel? \$165.00.

PARDONS.

29. What the number of convicts pardoned during the year? One—white male.
30. What the term for which each prisoner pardoned, was committed, the crime, length of actual confinement, and the ground upon which he was pardoned? Committed July 24th, 1853. He was sentenced 90 days and \$20 fine, for assault and battery, and on the 20th of November was pardoned by the Governor.

DEATHS.

34. How many deaths during the year? None.

CELLS.

42. What is the average temperature of the cells in winter, and what in summer? Unknown.
43. What are the dimensions of the cells? 14 ft. by 16 ft., and 12 ft. high.
44. Are they well lighted and ventilated? 45. How are they lighted? Well lighted with two windows to each cell; no provision for ventilation.
46. How are they warmed? With common box stoves, one in each cell.

48. Is every cell provided with a Bible and slate? Every cell is provided with a Bible, and the jailor lends a slate to every prisoner who desires one.

49. How many cells in the prison, and what the cost of construction of each cell? Four cells; cost unknown.

50. Is there more than one occupant ever assigned to a cell? Sometimes six are confined in one cell.

51. Are night-tubs used in the cells, or what other provision is made for the wants of nature? Night-tubs are used.

52. Are the cells free from vermin. No vermin.

PUNISHMENTS.

53. What punishments are inflicted? Chaining to a ring in the floor.

54. Is the "Cat" used, and if so, what is the greatest number inflicted? No.

56. Is the douche or bolt-bath ever used, and with what results? No.

57. What other punishments are inflicted? No other.

60. What has been the usual effect of punishment on those who have been subjected to it? Chaining refractory prisoners generally quiets them.

EDUCATION, AND CIVIL CONDITION.

62. How many could only read, on entering? Fifteen could read only.

63. How many could read and write? How many neither? 16 could neither read or write; 39 could both read and write.

65. How many well educated? Several of the prisoners were respected by the jailor as well educated, but no statistics kept.

66. Is there any provision for daily instruction? None.

68. Is there a library for the prisoners? No library; but the jailor lends books to such as wish for them.

No parents? 24.

69. How many had father only? 9.

70. How many had mother only? 13.

71. How many had both parents? 26.

73. How many were intemperate? 53.

74. How many were temperate? 19.

78. How many Americans? 46.

78. How many foreigners? 26.

DIET AND CLEANLINESS.

82. What is the daily bill of fare for the week? Pork is generally given for dinner, in summer, and beef in winter; occasionally soup is substituted. Rye bread and coffee for breakfast, and mush for supper. Of these articles they have as much as they choose to eat.

84. Is the food always of a plain but wholesome quality? Yes.

85. Do prisoners eat in their cells or at a common table? Cells.

86. How many times are they fed in a day? For 3 months of the shortest days they are fed twice a day; for the remainder of the year three times a day.

88. Are the prisoners allowed conveniences for washing, morning and evening? They are.

89. How often is the bedding changed? Once a fortnight in warm weather, and once a month in cold weather.

90. Are there any conveniences for bathing? No.

91. How often do the prisoners shave and have their hair cut? Once a week.

CLOTHING.

92. How often changed? Once a week.

93. Is it sufficient in quantity? Yes.

94. Is it any way peculiar, either in fashion or color? No.

95. Is a Sunday dress provided for each prisoner? No.

MISCELLANEOUS.

96. Is there any classification of the prisoners, and if so, how classed? None, except by sex.

97. Who are permitted to visit the prisoners, at what hour, and under what regulations? Any respectable person in the presence of the jailor.

98. How much money is given to each prisoner on his discharge? None.

99. Are tickets of admission to the prison sold for the benefit of the prisoners? No.

100. What are the opportunities for moral and religious instruction? The ministers of the village visited the jail occasionally last winter, but have never visited it since.

101. Is there a chaplain to the prison? No.

102. Are the prisoners allowed to converse in the presence of the keepers, or is strict silence enforced? Those confined in the cells converse freely together.

103. What the average length of confinement? Thirty days.

104. How many prisoners laboring under insanity? None at present.

105. How many prisoners entered insane? One.

106. Are the prisoners allowed to write and receive letters from their friends, and if so, under what regulations? Yes, but they are inspected by the jailer.

107. What the average length of sentences? Sixty days.

Suffolk County Jail at Riverhead.

EXAMINED BY H. N. BEERS.

New Prison and Court House.—Prison octagon, 36 feet in diameter; two stories; eight rooms in lower story, six in upper; prison and cells entirely stone; 19 feet from court house; cells arched, floor flagged; each cell ventilated by flue 6 by 12 inches; outer windows 1 ft. 6 in. by 2 ft. 6 in.; inner windows 1 ft. by 1 ft. 6 in., 5 feet from floor.

At the suggestion of the committee such modifications have been introduced in the building—which had only progressed as far as the first story at the time of the visit of the undersigned—as will make the cells more comfortable and healthful for the inmates, and will also increase its security.

Since the temperance reform was established in this county—in the eastern part particularly—the number of rum shops being greatly diminished, the average number of prisoners has been reduced from 4 to 2½. The new building will give eight separate cells, and as there has scarcely ever been over six confined at one time, it is believed that the present arrangements will always ensure a separate cell for each prisoner.

H. N. BEERS.

August, 1854.

1. What is the average number of prisoners? 2½.
6. How many committed more than once? None.

EMPLOYMENT.

11. What number of prisoners is engaged in each particular trade or employment? No employment.

EXPENDITURES.

14. What is the entire annual expense of the institution? About \$300.
15. What the cost of ordinary repairs? \$5.00.
25. How much for medicines? \$6.00.
27. How much for fuel? \$30.00.

RECEIPTS.

23. What are the entire annual receipts? None.

PARDONS.

29. What the number of convicts pardoned during the year? None.

DEATHS.

34. How many deaths during the year? None.

CELLS.

42. What is the average temperature of the cells in winter, and what in summer? Comfortable.
43. What are the dimensions of the cells? 10 by 10 feet.
44. Are they well lighted and ventilated? Well lighted, not well ventilated.
45. How are they lighted? By grated doors.
46. How are they warmed? By a hall stove.
47. Are they damp or dry? Dry.
48. Is every cell provided with a Bible and slate? With a Bible, but no slate.
49. How many cells in the prison, and what the cost of construction of each cell? Four cells, 10 feet square.
50. Is there more than one occupant ever assigned to a cell? Sometimes several.

PUNISHMENTS.

54. Is the "cat" used, and if so, what is the greatest number of lashes ever inflicted? Never.
56. Is the douche or bolt-bath ever used, and with what results? No.
57. What other punishments are inflicted? Shortening the rations or chaining.
58. By whom are punishments directed? By the keeper.
59. Has each keeper a discretionary power to inflict punishment, and if not, how is his discretion limited? Corporal punishment only forbidden.
60. What has been the usual effect of punishment on those who have been subjected to it? Satisfactory.

EDUCATION AND CIVIL CONDITION.

66. Is there any provision for daily instruction? None.
67. Is there a choir in the prison? No.
68. Is there a library for the prisoners? No.

DIET AND CLEANLINESS.

83. Are any variations made in diet corresponding with the seasons? Yes.
84. Is the food always of a plain but wholesome quality? Yes.
85. Do prisoners eat in their cells or at a common table? In their cells.
86. How many times are they fed in a day? Three times except on Sabbaths, then twice only.
87. Is the prison abundantly supplied with good and wholesome water? Yes.
88. Are the prisoners allowed conveniences for washing, morning and evening? No.
90. Are there any conveniences for bathing? No.

CLOTHING.

93. Is it sufficient in quantity? Yes.
94. Is it any way peculiar, either in fashion or color? No.
95. Is a Sunday dress provided for each prisoner? No.

MISCELLANEOUS.

96. Is there any classification of the prisoners, and if so, how classed? No.
97. Who are permitted to visit the prisoners, at what hour, and under what regulations? At the keeper's discretion.
98. How much money is given to each prisoner on his discharge? None.
99. Are tickets of admission to the prison sold for the benefit of the prisoners? No.
100. What are the opportunities for moral and religious instruction? None.
101. Is there a chaplain to the prison? No.
102. Are prisoners allowed to converse in the presence of the keepers, or is strict silence enforced? They are allowed to converse.
106. Are the prisoners allowed to write and receive letters from their friends, and if so, under what regulations? They are, through the keeper.

(APPENDIX G.)

Treasurer's Report of the New York Prison Association for 1854.

Dr.	
To the amount of subscription to the Association received during 1854, and of collections by the Financial Agent,.....	\$1497 25
To the amount of donations received during same period,.....	170 00
To the balance of legacy of Miss E. Demilt, withdrawn from Saving's Bank,.....	1423 37
Total,.....	\$3090 62
To balance in Treasurer's hands Jan. 1, 1855,.....	\$61 20
Cr.	
By balance due Treasurer Jan. 1, 1854,.....	\$57 84
To amount paid for salaries of agents and clerks,.....	1205 45
To rent of Office, 15 Centre street,.....	200 00
To commissions on collections by financial agent,.....	145 96
To advertising and printing,.....	111 11
To distribution to discharged convicts and others,.....	184 22
Expenses of visiting various State and county Prisons,.....	38 55
To expenses of Anniversary in 1853,.....	62 00
To account of Blacksmith shop for discharged convicts' use,.....	261 37
To account of home for discharged female prisoners,.....	762 92
By balance to new account,.....	61 20
E. E., Total,.....	\$3090 62

HENRY A. OAKLEY, *Treasurer.*

New-York, May 1, 1855.

1854

AN ACT

To incorporate the Prison Association of New-York, passed May 9, 1846, by a two third vote.

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

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

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

ARTICLE I.

The objects of the Association shall be,

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

[Assembly, No. 149.]

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 four vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following committees, viz: a finance committee, a committee on detentions, a committee on discipline, a committee on discharged convicts, and an executive committee.

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 to be 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, shall, during such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars an honorary member of the executive committee for life; and a contribution of twenty-five dollars shall constitute a member of the Association for life. Honorary and corresponding members may from time to time be appointed by the executive committee,

ARTICLE VII.

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

ARTICLE VIII.

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

ARTICLE IX.

Any society having the same objects in view may become auxiliary to this Association by contributing to its funds and cooperating with it.

ARTICLE X.

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

ARTICLE XI.

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

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

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

§ 3. The said executive committee shall have power to establish a work-house in the county of New-York, and in their discretion to receive and take into the work-house all such persons as shall be taken up and committed as vagrants or disorderly persons, in said city, as the court of general sessions, of the peace, or the

court of special sessions, or the court of oyer and terminer, in said county, or any police magistrate, or the commissioner of the alms-house, may deem proper objects; and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons, as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may from time to time make by-laws, ordinances and regulations, relative to the management and disposition of the estate and concerns of said Association, and the management, government, instruction, discipline, and employment of the persons so as aforesaid committed to the said work-house, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants, as they may deem necessary, to transact the business of the said Association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature, and to the corporation of the city of New-York, of the number of persons received by them into said work-house, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said Association.

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

by granted and imposed, they shall possess all the powers and authority, that by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are vested in the Inspectors of county prisons; and the duties of the keepers of each prison that they may examine, shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the Inspectors thereof: *Provided*, that no such examination or inspection of any prison shall be made until an order for that purpose, to be granted by the Chancellor of this State, or one of the Judges of the Supreme Court, or by a Vice Chancellor or Circuit Judge, or by the first Judge of the county in which the prison to be examined shall be situated, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said Association, by whom the examination is to be made, and the time within which the same must be concluded,

STATE OF NEW-YORK, }
In Senate, May 8, 1846. }

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

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER, *President*.

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,

WM. C. CRAIN, *Speaker*.

Approved this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW-YORK, }
Secretary's office. }

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

[L. s.]

ARCH'D CAMPBELL,
Dep. Sec. of State.

REVISED STATUTES, Part IV, Chap. 3, Title 1.

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

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the fourth Monday of each month, and a special meeting shall be held at any time, on the requisition of either of the standing committees, or the chairman of the executive committee, or chairman of any standing committee.

II. At every meeting of the executive committee, stated or special, the attendance of 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 adoption of the minutes of the last preceding meeting.
2. Reports from the standing committees in the order in which they are named in the constitution of the Society.
3. Reports from female department.
4. Report from corresponding secretary.
5. Reports from special committees.
6. Motions and resolutions.

The business first in order at a special meeting shall be the subject for the consideration of which the meeting shall have been called; and no other subject shall be brought before the meeting, except with the consent of a majority of the members present.

IV. The chairman shall nominate and appoint all special committees, and no person nominated by him shall be excused, unless upon reasons, assigned by him, that shall be approved by the meeting; but a chairman pro tem. shall not have such power, unless authorized by the meeting.

V. The chairman shall decide all questions of order, subject to an appeal, and the rules of order shall be the same, so far as they are applicable, as those of the House of Assembly of the Legislature of New-York.

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

1. To receive and pay over to the treasurer of the society all moneys received, either as donations or for memberships.
2. To audit, and direct the payment of all bills against the society in such manner and form as they shall direct, but no bill shall be paid by the treasurer unless approved by the committee and countersigned by the chairman thereof.
3. To invest and control the surplus moneys of the society, under the authority of the executive committee.
4. To have power, under the same authority, to employ one or more agents to obtain members and collect subscriptions to the society ; and it shall be their duty to make a report, at each monthly meeting, of their proceedings and those of their agents.
5. To annually examine and report upon the treasurer's accounts, and to audit the same.

VII. The following shall be the duties of the committee on detentions :

1. To inquire into the causes of commitment of all persons detained for trial, or as witnesses, in any of the prisons of the cities of New-York and Brooklyn, and to adopt proper measures for procuring the discharge of such as shall appear to be entitled thereto.
2. To visit frequently the prisons under their charge, and to endeavor to improve the condition of the prisoners, by training them to habits of cleanliness and exercise ; by securing to them comfortable accommodations, having a regard to space, light and temperature ; by procuring for them suitable employment ; by providing them with books, or other means of mental occupation ; by secur-

ing such a separation and classification as shall preserve the young, the innocent, and the less hardened, from the contaminating intercourse of the more depraved ; by obtaining for them honest and able legal advice ; and generally, by bringing all practical, moral, and religious influence to operate upon their minds.

VIII. It shall be the duty of the committee on discharged convicts,

1. Under the authority of the executive committee, to employ an agent for the relief and aid of discharged convicts, and for the performance of its daily routine of duties, whose place of business shall be at the general office of the Association.
2. To keep a record of all commitments to our State prisons, and New-York and Kings county prisons, of the crime of which each person was convicted, of the date of his commitment and discharge, and all other important information thereto appertaining.
3. To open a correspondence with the prison agents or superintendents, relative to the character and trades of prisoners, and to ascertain previous to the discharge of each prisoner, his feelings, views and capabilities, with a view to making the best arrangements for his future employment.
4. To keep a record of all persons who will employ discharged prisoners, and of their several occupations ; to procure employment for prisoners applying therefor, as seems best adapted to the capacity of each ; to hold a correspondence with employers ; to keep a record of the behavior and prospects of those for whom places are obtained, that they may be sustained and encouraged with the idea that a continual friendly interest is felt for them.
5. To endeavor to procure suitable boarding places for the discharged prisoners, where they will not be exposed to

corrupting influences, taking care not to have more than one in a place, when it can be avoided.

6. To see that the prisoners are provided with suitable clothing, of a kind that will not attract attention, and point them out as convicts.

IX. The general duty of the committee on prison discipline shall be the supervision of the internal organization and management of the prisons in which convicts are confined, embracing the moral and physical influences to be exerted on the prisoners during their confinement.

This duty shall be comprised under the following general heads:

Health.—Under which shall be included diet, dress, cleanliness, warming of prisons, ventilation, exercise, modes of employment, insanity, and medical treatment generally.

Reformation.—Including the classification of prisoners according to age, sex, physical condition, character and numbers; instruction, religious and ordinary; moral treatment, isolation and intercourse; rewards and punishments; the visitation of friends, and pardons.

Financial System.—Embracing convict labor, prison revenues and expenses.

Administration and Supervision.—Comprising the mode of appointing officers, their qualifications, duties, abuse of their powers, and the internal police regulations of prisons.

Comparison of Prison System and Reforms.—Including the collection of works and reports, correspondence with other societies, superintendence of prisons, and persons interested in prison discipline. The collection of statistics, and their publication under the order of the Association.

Visitation.—The visiting of State, county, and city prisons, including houses of reformation of juvenile delinquents, at such periods and in such manner as the committee may from time to time determine.

Criminal laws.—Their character and influence on the commission of vice and crime.

X. Each standing committee shall have power to appoint its own chairman and secretary, and to divide itself into as many sub-committees as it may deem proper; and each committee shall make a report of its proceedings at each stated meeting of the executive committee.

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

XII. 1. The standing committee shall meet in their order on the Wednesday, Thursday, Friday and Saturday of the week preceding the regular meeting of the executive committee; and the recording secretary shall give due notice thereof.

2. It shall be the duty of each standing committee to report to each monthly meeting of the executive committee the number of meetings held, and the names of the members attending at each.

XIII. If it shall appear from the report of any standing committee that any member has not attended any one of these meetings during the preceding three months the member so neglecting to attend shall, if no satisfactory excuse be offered, be deemed to have resigned as a member of such committee, and the executive committee may proceed to appoint another in his place.

XIV. No person shall be added as a member to any of the standing committees unless the committee to which he is to be added shall have reported his name at a preceding meeting of the executive committee, and shall have stated that the member so proposed has consented to serve. No person, so proposed, shall be elected as a member unless by the votes of two-thirds of all the members present; and every such election shall be made by ballot, unless by unanimous consent the ballot be dispensed with.

XV. There shall be a standing committee of ladies for the female department, the members of which shall be selected by the executive committee, and shall have charge of the interests and welfare of persons of their own sex, under such regulations as the executive committee may prescribe, or they themselves, with the approbation of the executive committee, may adopt. Such committee shall have power to elect its own officers, and, when organized, shall be placed in all respects on the same footing as the other standing committees of the executive committee, in relation to the increase of their numbers.

XVI. The corresponding secretary shall conduct the correspondence of the executive committee, and of each of the standing committees when required, and shall report the same at each stated meeting of the committee, and shall record the same in books to be procured for that purpose.

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

XVIII. It shall be the duty of the treasurer to keep safely all moneys deposited with him by the finance committee, to pay over the same in such manner, and at such time as the finance committee shall direct, and to give such security for the faithful discharge of his duty as that committee shall require.

XIX. No alterations in these by-laws shall be made, except a notice of the proposed amendment shall have been given at a previous meeting of the executive committee.

1854-

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