

NINETEENTH ANNUAL REPORT

(For 1863)

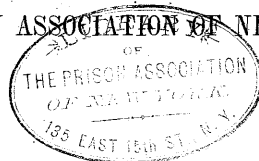
OF THE

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EXECUTIVE COMMITTEE

OF THE

PRISON ASSOCIATION OF NEW YORK.



TRANSMITTED TO THE LEGISLATURE, JANUARY 29, 1864.

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1864.

State of New York.

No. 65.

IN ASSEMBLY,

January 28, 1864.

NINETEENTH ANNUAL REPORT (for 1863)
OF THE EXECUTIVE COMMITTEE OF THE PRISON ASSOCIATION OF NEW YORK.

Hon. THOS. G. ALVORD,

Speaker of the Assembly:

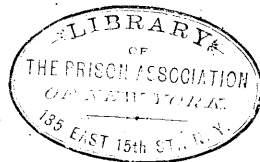
Sir—I have the honor, as required by law, to hand you herewith the Nineteenth Annual Report of the Prison Association of New York, with the request that you will lay the same before the Legislature.

Very respectfully,

Your obedient servant,

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, *January 28th, 1864.*



1863

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Essex county: residence, Elizabethtown—AUGUSTUS C. HAND, Dr. SAFFORD HALE and CHARLES H. NOBLE.

NINETEENTH ANNUAL REPORT. for 1863

The executive committee of the Prison Association of New York, agreeably to the requirements of its charter, submits to the Legislature its nineteenth annual statement.

PROSPERITY OF THE PAST YEAR.

The year, whose operations are recorded in the present report, has been one of unexampled prosperity, both as it respects our financial condition and the breadth of the field, over which our labors have extended. Private citizens have responded to our appeals with a generosity unknown before, and, for the first time in our history, both the State and city authorities, convinced at length of the important bearings of our work upon the moral and material interests of the community, have made appropriations to our treasury. Through this union of public and private munificence we have been able, in a manner and to an extent never before attained, to meet the responsibilities laid upon us, as well by the express terms of our charter as by the general obligations of humanity. And we desire here to record our gratitude to a benignant Providence for the means thus granted to discharge the trust confided to us. With what success these duties have been fulfilled, and how advantageously to the commonwealth, it will be for you, gentlemen of the Legislature, to judge, after an examination of the report and accompanying documents, herewith submitted to your inspection.

OBJECTS.

It is deemed proper, at this point, briefly to restate to the Legislature the nature of our work and the objects which it is aimed to accomplish through this organization. These objects are: 1. To give such counsel and aid as may be judged requisite and suitable to prisoners, whether simply arrested and held for trial, or finally convicted, or detained as witnesses. 2. To encourage and assist discharged convicts in their resolutions and efforts to reform, by obtaining board for them in respectable families, until they can find employment, by supplying needed articles of clothing, and by securing permanent situations for them where, ceasing their spoliation upon the community, they can earn an honest living and again become respectable and useful citizens. And 3. To discover and point out the principles and methods whereby the government and discipline of prisons, whether for cities, counties, districts, or states, may be improved and perfected.

CORRESPONDING SECRETARY AND GENERAL AGENT.

A detail of the labors of the Corresponding Secretary and General Agent of the Association will be found in the special reports of those officers, inserted in the appendix. In the report of the General Agent are given a number of interesting cases, in which will be seen the nature of our work, the good accomplished by it, and the encouragements which sustain us in the prosecution of it.

DETENTION AND DISCHARGED CONVICT DEPARTMENTS.

We give the results of the year's work in the detention and discharged convict departments under one head, both because the duties in each are of the same general nature,

and because the labor is mainly performed by the same person—the General Agent. In these two departments, then, this officer has visited, conversed with, and counseled 5,250 persons in the detention prisons of New York and Brooklyn, who were poor and comparatively helpless, and many of whom were foreigners, ignorant of our language and laws. He has carefully examined 949 complaints, in which extenuating circumstances appeared to exist. He procured the abandonment of 351 of these complaints, as being either too frivolous for prosecution, or the result of prejudice, malice, or revenge. He obtained the discharge, through the proper magistrates, of 365 arrested persons, who were young and inexperienced in crime, or innocent of the offences alleged against them, or manifestly penitent and resolved to “go and sin no more.” He has provided discharged convicts and others with board and pecuniary aid, till employment was found them, to the number of 854. He has furnished with articles of clothing, more or less in number, 128 released criminals, who seemed anxious to reform and lead an honest life. And he has obtained permanent places of labor for 171 discharged convicts and others, from our penitentiaries, jails, workhouses, and hospitals. This gives a total of 8,068 cases of persons in the cities of New York and Brooklyn, seen, conversed with, advised, and aided, in one way or another, by the Prison Association, within the past year. Numbers of these individuals, as also their friends, have expressed the most fervent gratitude for the assistance rendered them, and from many for whom situations have been provided, letters of a hopeful and cheering character have been received.

PRISON DISCIPLINE DEPARTMENT.

The chief labor in the department of prison discipline consists in the inspection of prisons and the preparation of reports thereupon. Our charter not only grants the power, but imposes on us the obligation, "to visit, inspect, and examine all the prisons in the State, and annually to report their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline." This work has been more extensively performed during the year, covered by the present report, than during any previous year of our history.

INSPECTION OF STATE PRISONS.

The three State prisons, at Sing Sing, Auburn, and Dannemora, Clinton county, have been visited and examined by competent committees, whose several reports will be found printed at length in the appendix. These reports will be found to be interesting and valuable documents; and we invite a careful study of them, on the part of the members of the Legislature. They not only present a full exhibit of "the state and condition" of the prisons, as required by law, but are replete with discussions of important principles and with practical suggestions on subjects connected with prison discipline and prison management. It will be seen to have been the judgment of the examining committees, that our State prisons are, upon the whole, conducted by the wardens in charge at the time of the examinations, with no little ability and success. They are represented as humane, earnest, and capable men, having at heart the good of the institutions and convicts under

their care, and industriously laboring to promote it. We propose to call the special attention of the Legislature to some of the points touched upon, at less or greater length, in these reports.

POLITICS, AS CONNECTED WITH OUR PRISONS.

The grand defect of our State prison system, as at present constituted and conducted, is instability in the tenure of office, a want of permanence in the executive administration. This instability results from the controlling influence of partizan politics on that system. It is the bane of the system, that it is made the foot-ball of that power. This lies at the root of most of the evils connected with our prison system; and, in our judgment, it is impossible to improve, and certainly impossible to perfect, the administration of the system, until this evil is amended. It is of the utmost importance that the government of our State prisons should be freed from a controlling subjection to political influence, and that some provision to that end should be incorporated into the fundamental law, when the convention to revise the the Constitution shall meet in 1866. We freely acknowledge the importance and utility of party politics. It has a just and noble function, an appropriate and important sphere. It is the enlightener, purifier, and guide of public opinion in all free States. It is both the mainspring and regulator of the whole complex machinery of government in such States. Without its restraining force, the ruling power, intoxicated by the absence of vigilance, and released from all feeling of responsibility, would speedily degenerate into despotism, and tyranny would hold a perpetual carnival. We repeat,

therefore, that, in a republic, the office and function of party politics is a generous and noble one. But it has its limits. There are high and precious interests in the State, in reference to which the only proper principle, so far as this great and, in its just sphere, beneficent agency is concerned, is fitly expressed in the warning words of Holy Writ: "Touch not, handle not." Religion is one of these interests. Education is another. And, surely, the penal institutions of the State constitute a third. Indeed, this last named interest combines, in a high degree, the characteristics and relations of the other two. These institutions are, or ought to be, at once religious and educational. Their supreme aim, so far as the future of the persons confined in them is concerned, is *reform*; and of all true and permanent reformation, the leading, vitalizing, controlling elements, are religion and education—the discipline of the mind and heart—the enlightenment of the one, and the rectification of the other. The chief value of any system of prison discipline consists in the intelligence and fidelity with which its administration favors the implantation and growth of virtuous principles in the prisoners. The wardens, chaplains, teachers, physicians, matrons, keepers, and guards—in short, the whole prison staff—should, therefore, be selected with the greatest care, and retained during good behavior. The selection of the police force of each prison should be in the hands of the executive head; and that officer should be held to a rigid accountability for the exercise of the appointing power. Officers should never be changed merely because one political party has gone down, and another has gone up, in an election. This chang-

ing of prison officers for political reasons is one of the greatest and most hurtful of existing evils, and should be immediately reformed.

But this whole subject of the relation of politics to our State prison system, briefly touched upon in the two other reports, is discussed at length in the special reports on the three State prisons; and to that discussion we respectfully refer the members of the Legislature for the views entertained by the Association on this subject, and for the suggestions we have to offer for their consideration.

THE CONTRACT SYSTEM.

The Association re-iterates and emphasizes the views heretofore expressed in reference to what is called the contract system. The method of utilizing the labor of convicts by farming it out to the highest bidder, is objectionable on many grounds. It is liable to a variety of grave and pernicious abuses. It introduces an outside element into the prisons, not at all in sympathy with the true ends of prison life, but, on the contrary, strongly adverse to those ends. It fosters and feeds a spirit of traffic among the convicts, and itself engages in such traffic, though all trafficking on the part of convicts, is forbidden by the prison rules, as tending to obstruct and hinder proper discipline. It is, in its very nature, cruel and relentless in its exactions upon the time and toil of convicts, and this spirit manifests itself sometimes in extorting full labor from invalids from whom, by the doctor's direction, is to be exacted only half the work of men in health; sometimes in feeing keepers to induce them to drive the men with rigor, and get from them all the labor possible; and

sometimes in wrongfully withholding from convicts, on their discharge, the hard earnings due them for overwork. It is so avaricious of the time of the convicts, that it opposes, as if by instinct, all measures for their mental culture, their moral reformation, and their preparation for civil life by a suitable industrial training, which require a moderate degree of that commodity. It is still further, as we think, hostile to the pecuniary interests of the State, in that it puts into the pockets of individuals profits, which, under a wisely devised and efficiently executed system of convict labor, might be made to flow into the public treasury. With these brief statements and hints, we refer your honorable bodies to the more ample discussion of this topic, which will be found embodied in the special report concerning the prison at Sing Sing, simply adding that the views expressed above of the nature and operation of the contract system are those entertained by the most intelligent prison officers. The Rev. John Luckey, in a work entitled, "Life in Sing Sing State Prison," after twelve years' service and observation as chaplain in that prison, does not hesitate to characterize the contract system as "an insurmountable difficulty, lying in the way of all reform." We may also add, in this connection, that the contract system which was formerly in use in Great Britain, has been abolished by act of parliament. The convicts are, at present, worked wholly on account of the State, and the new system is found to be both more profitable in a pecuniary point of view, and far more conducive to the reformation of the convicts.

THE COMMUTATION SYSTEM.

On the 22d of April, 1862, an act was passed by the

Legislature, containing, among others, the following provision: "If he (a convict in any State prison or penitentiary,) shall diligently work the number of hours prescribed by the rules of the prison or penitentiary during each day that he is so ordered to work, for the space of one month, and if he shall well obey the rules and quietly submit to the discipline of the penitentiary for the space of one month, he shall be entitled, for every period of one month, for which he shall so work, obey and submit, to a commutation or deduction from the term for which he has been sentenced, of one day. If he shall so work and obey and submit for the space of six or more successive months, he shall be entitled, for every one of said six or more successive months, to a commutation or deduction from the term for which he was sentenced of two days, which two days shall be in addition to the deduction of one day for each month hereinbefore provided for."

Two interpretations have been given to this provision, by one of which the maximum of commutation for any space of six months is eight days; by the other, eighteen. This alleged obscurity of the law, and some other circumstances, caused Gov. Morgan to decline all action under it. Accordingly, no commutations were granted by him during the nine months of his administration after the passage of the law.

A year later, an amendatory act was passed, in which, after providing, as in the original act, for a commutation of one day for each several month, it is enacted as follows: "If he (the convict,) shall so work and obey as above, and submit for the space of six or more successive months, he

shall be entitled, for every one of said six or more successive months, to a commutation or deduction from the term for which he was sentenced, of two days."

Under this provision it is evident that twelve days are the maximum of commutation that can be earned in any space of six months. It would, therefore, be unnecessary to discuss the meaning of the prior act, if there were not a class of cases, to which its provisions are still rightfully applicable. If that be the true construction of the act of 1862, which assigns eight days as the maximum for any space of six or more successive months, then from any such period, during which commutation may have been earned under the said act, four days less must be allowed than for an equal period under the act of 1863. But if, according to the true intent and meaning of the law, eighteen days constitute the maximum, then the convict, on his discharge, will be entitled to six days for each space of six successive months, *additional* to the time allowed by the law as it now stands, and one day more for each month in excess of six.

The question of the true interpretation of the original act, which was in operation a full year, is, therefore, of no little interest to the convicts who were in prison during that period.

The interpreters who contend for eight days as the maximum for six or more successive months affirm that, in using that language, the Legislature meant every *space* of six or more successive months, and not every *one* of said months. To this it is enough to reply that the whole statute must be taken together. Every word in it must be

supposed to have a purpose, and the whole must be so construed as to render each part effective. But, on the construction given above, the words "or more," in connection with the words "six successive months," cannot be shown to have a purpose, nor can they be interpreted consistently with good sense or good morals. They must be entirely ignored, or they lead to absurdity. Ignore them, and the construction alleged may be made to appear plausible at least. But take the words as they stand, give them life, and mark the consequence. Five years of continued good conduct constitute but one *space* of "six or more successive months," and entitle the convict to only one additional allowance of two days, and to only sixty-two days in the whole five years, whereas the allowances for five years, with a regular outbreak of disorder every seventh month, would be for eight spaces of six months, and the convict would be entitled to a commutation of sixteen days instead of two. And this shortening of his imprisonment by fourteen days would not simply be in spite of his insubordination, but because of it. That is to say, the State would not reward good conduct in proportion to its uninterrupted continuance, but her choicest acts of grace would be reserved for alternations of virtue and vice. Such a law might be an encouragement to good conduct for six months, but it would be an equal encouragement to bad conduct the seventh. It cannot for a moment be supposed that the Legislature ever intended such a combination of absurdity and immorality.

It may be remarked, in passing, that since the phraseology of the original act and the amended act is the same, in

those parts which designate the amount of commutation that may be earned, if the construction combatted be the true one, it would follow that the sum total of commutation capable of being earned during any number of years of uninterrupted good conduct under the amended act would be just two days, for the whole would be but one space of "six or more successive months."

We must, then, have recourse to the construction which regards the additional allowance of two days as intended, not for the *term* of six or more successive months, but for each *month* in the term, thus giving three days as the maximum per month, when the good conduct of the convict is maintained for six months or more without interruption. This construction avoids all the absurdities and difficulties of the other. Moreover, it is the obvious construction—that which lies upon the very surface of the statute—that which would first occur to every reader. It takes the words "every one" in their natural sense, as meaning every one of the six months, and not in the forced signification of every space of six months. It discloses a purpose in the words "or more." It makes those words significant and effective, requiring the deduction of three days per month to be continued for as many successive months in excess of six as the conditions of the law are met by the convict. The only rational conclusion is, that this construction of the law is the true one and correctly sets forth the intent of the Legislature in its enactment.

The establishment of this construction, if it has been established by the foregoing argument or can be any other,

draws after it, by inevitable sequence, the obligation on the part of the executive, to abide by it in determining the amount of commutation to be granted to any convict, so far as the commutation earned by him is covered by the period during which the law was in operation. For instance, since the maximum under the original statute was three days per month, while under the statute as amended it is only two, if the convict behaved unexceptionably for twelve successive months while the former law was in force, then on his discharge he will be entitled to a deduction from his term of sentence of twelve days, in addition to the twenty-four days to be remitted, if the provisions of the existing law are allowed to exert their force over the whole period of his imprisonment. This is a material consideration to all convicts holding the relations to the old law indicated above, and is, we have reason to know, felt by them to be so; but, what is still more important, if our construction of the law be correct, it is essential to the maintenance of the honor of the State and the interests of justice, that practical effect be given to the said interpretation.

The principle of this law is believed by this Association to be founded in reason and justice. The policy established by it, we are no less firmly persuaded, is wise in itself, and, supposing it to be permanently incorporated into our system of prison discipline, its operation will be fruitful of good results. The effect of this policy will be to change materially, in some respects, the aspect and condition of prison life. In keeping before the prisoner a permanent inducement to good conduct, it will fortify the resolutions of many a feeble mind, and in others it will

counteract the tendency to feelings of despondency, recklessness, and revenge, which their situation is apt to engender, and in which many of them are prone to indulge. In encouraging them to perform their work cheerfully, it will, so far, have the good effect of converting coerced into voluntary labor, while, as a means of discipline, appealing to the better feelings of all, in whom such feelings still have a place, and substituting rewards in place of punishments and moral instead of mere brute force, we feel confident that, properly administered, its effect will be all that its most ardent advocates can reasonably desire. A law of which all this can be said with truth, and we believe it can be so said of the act under consideration, needs no further vindication.

But the interesting inquiry arises here: what has been the actual operation and effect of this law during the twenty months of its existence on our statute books? In answering this question we have the following remarks to submit:

First. Twenty months are hardly a sufficient length of time whereon to found an intelligent, reliable judgment, as to the permanent results of a great innovation upon long established usage, such as that which has been introduced into our penal system by the law in question.

Secondly. The history of the law and its treatment at the hands of the public authorities, have been such as greatly to obstruct its natural operation, and hinder the good effects which it was designed and (as we believe) adapted to produce. For nine months after its passage, Governor Morgan refused to act upon it at all. This was

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a severe blow at the start. On its announcement in our State prisons, the resolution was very generally formed by the convicts to deserve and obtain its full benefit. There is reason to believe, so at least we have been assured, that at Sing Sing there were scarcely ten prisoners whose minds were not made up to put forth every effort to secure the desired result. But for those nine weary months, this thing, so seeming fair, proved an utter delusion. Man after man, whose conduct had been irreproachable, was seen discharged without any benefit from the law. It was felt by the prisoners, and many of them loudly declared that they were "humbugged," "tricked," "cheated" out of their due and legal reward. That they were wronged out of it, unjustly denied it, must be admitted even by those who are most fastidious in their use of language. What was to have been expected as the result? In the natural course of things, when just and reasonable hopes were disappointed, when this law, so big with promise, was seen to produce nothing, the pendulum swung as far in the opposite direction as it had been drawn in the other; and feelings of satisfaction and encouragement gave way to the contrary sentiments of discontent and despondency. Despair took the place of hope.

But this was not the only revulsion reserved for these unhappy men. The interpretation put upon the law by the convicts was that which would occur to every man on its first perusal, viz: that by good behavior for six or more successive months they might earn a commutation of three days per month, and to that extent shorten the term of their imprisonment. When the law, within a year after

its enactment, was so amended as to make the maximum deduction from the term of sentence two days instead of three, and especially when the amended law was made practically retroactive in its operation, and only two days were allowed for the period during which three, as they felt and believed, had been earned, a general feeling of disappointment was produced, which gave rise to a sort of chronic dissatisfaction—an impression that, after all, the law was but little better than a delusion and a mockery. In effect, it looked, to convict apprehension, at least, very much like trifling with expectations, which the parties themselves had voluntarily raised. How fatal to the normal operation of the law the reaction in such a case must have proved, any reflecting mind can judge. It would not be strange if its effect was disastrous in precisely those cases in which the healthful stimulus of the law was most needed. To many of these men the law is now, perhaps, a dead letter; to some it may possibly be worse, for human feelings are subject to reactions, and unjust disappointments often induce recklessness, and sometimes even drive to desperation. But by a just and generous conduct on the part of the authorities in the future, and especially by a return to the old maximum,—perchance, even, if it should be judged expedient by a still broader application of the principle,—these sores may be healed, and the law may yet produce, without stint, all the good fruits, which it is capable of yielding. But,

Thirdly. Despite the serious drawbacks enumerated above, there is abundant evidence that the law has already borne excellent fruit, and that its direct and active ten-

dency is to promote good order, quietness, industry and obedience to prison rules on the part of convicts. To this effect is the concurrent testimony of all the reports made by the special committees appointed to "visit, inspect and examine" the three great penal institutions established and conducted by State authority. The Association unhesitatingly accepts this testimony as decisive of the question—at least until the same is disproved and rebutted by contrary testimony, resting on results developed by future observation and experience. Indeed, upon the evidence before us, we are prepared to second a suggestion made by the committee who inspected Clinton prison, to the effect that, if the time has not come yet, it soon may, when the principle of the commutation law may be judiciously extended.*

A member of the abovenamed committee, and one of our vice-presidents,—the Hon. John Stanton Gould,—who has since visited the State prison at Columbus, Ohio, in a letter addressed to the corresponding secretary of the Association, says: "I have recently visited the Ohio State prison, at Columbus, and find that the [commutation] law works as well there as it does in New York. It is thought

* Since the date of this report the Executive of the State, in his annual message to the Legislature, has recommended the same thing. The passage relating to this subject is appended, and is as follows:

"By recent acts of the Legislature convicts can, by good behavior, shorten the terms of their imprisonment twenty-four days in each year. I advise an extension of this system. It should be so graduated that it will give more encouragement to convicts sentenced for long terms. Those who behave well for many years give stronger evidences of reformation than can be shown by those confined for shorter periods. An allowance for good conduct should be made of one month on each of the first two years; of two months on each succeeding year to the fifth year; of three months on each following year to the tenth year; and of four months on each remaining year of the terms of their imprisonment. Under this system a person sentenced for five years can reduce his term to four years and four months; those for ten years to eight years and one month; those for fifteen years to eleven years and five months."

that no law ever passed by the Legislature has been so marked in its influence for good since Ohio has been a State. The excellent working of the law, enabling prisoners to earn the remission of part of their sentence by good conduct, should be commented on [meaning in the annual report] in emphatic terms."

That provision of the present commutation law, which exacts the forfeiture of all previously earned commutations for fresh acts of misconduct, ought, in the judgment of this Association, to be repealed. We consider it unwise to place the time of a convict, once earned, at the mercy of any man. We would have each man feel that he is striving not for *chances* but for *certainties*. If offences are committed after time is earned, let them be punished independently, each according to its own desert, and not by forfeiture of time. Let time once earned be held sacred. It will then seem to the convict trebly worth striving for; while the loss of such time, under a contrary rule, would be extremely disheartening, and the possibility of such loss must diminish proportionately the effort to earn it.

Any possibility of forfeiture, or provision to that effect in the law, we consider highly objectionable, as tainting the whole matter with uncertainty, which it should be a main object, as far as possible, to avoid. Certainty, good faith, a scrupulous respect for every hour of time earned, we regard as of incalculable importance to the beneficial operation of the law.

And this should be placed, as far as practicable, beyond contingency; more especially in view of the frequent changes in the executive administration of our prisons,

which must ever occur under our existing prison system. The confidence felt by convicts in one set of officers may not be extended to their successors, and may not, in point of fact, be deserved by them. We are, therefore, opposed to placing time earned at the mercy of we know not who; and no one we think will seriously advise it, who justly estimates what must be its effect upon the operation of the law. We would have legislation of this sort, whose whole design and operation is to bestow grace upon the fallen, conducted, not in a reluctant and grudging, but a free, generous, whole-souled spirit; that is, in a manner worthy of a great and magnanimous State, and calculated to inspire the respect and confidence, as well as the gratitude, of those whom it is designed to affect.

BATHING FACILITIES FOR CONVICTS.

Commendation is due, and is very cordially awarded by this Association, to the Inspectors and officers of the State prisons for the efforts they are making to promote personal cleanliness among the convicts by the erection of baths for their use. A fine plunge bath has been completed at Sing Sing, under the superintendence of Mr. Hubbell; and orders have been given by the Inspectors for a similar convenience at Clinton prison. There are several reservoirs which furnish facilities for bathing at Auburn, and it is in contemplation to arrange a bath-room in one of the basements at present unoccupied. The Association hail with pleasure these tokens of improvement in this direction, because of the high opinion they entertain of the influence of personal cleanliness on the formation of character. It has been said with truth, that clean rogues are about as plenty as

white blackberries. It is important, however, that the means of ablution should be such and so arranged that it can be practiced in winter as well as in summer. It is admitted that the bath is not so absolutely necessary in cold as in hot weather; yet it is, at all times, refreshing, healthful, and invigorating. Many of the employments in our prisons are of such a nature that the frequent use of the bath is demanded as well to insure self-respect as to promote health; for who so degraded as not to feel a deeper degradation from personal uncleanness, and what agency more elevating and reformatory than the habit of personal neatness? To encourage such a habit, our prisons should be provided with both warm and cold baths, and the prisoners should be required to make frequent ablutions of the entire person. In connection with the bath, constant use should be made of the flesh brush. The importance of this as a means of refreshment and health has been pointed out in the special report on Sing Sing prison, to which reference is here made.

SOLITARY CELLS FOR INCORRIGIBLE PRISONERS.

By the general prison law of 1847, chap. 460, title 2, art. 1, sections 44 and 45, it is made the duty of the Inspectors to cause to be erected of stone, and in such manner as to render them safe and secure, in each of the State prisons of this State separate cells or rooms, not less in their dimensions in the clear than 996 cubic feet, not exceeding 20 at Sing Sing prison, 10 at Auburn prison, and 5 at Clinton prison; said cells to be used as places of solitary confinement for vicious, dangerous, and incorrigible convicts, where they shall be kept at hard labor for such time and under such regulations as the Board of Inspectors may pre-

scribe, and be employed, as far as may be practicable, at the same trade or business as before such solitary confinement. This law has hitherto remained a dead letter, though a movement, we are happy to learn, has recently been set on foot by the Inspectors, with a view to carrying it into effect. A much-needed improvement would be effected by the execution of this enactment. There are now confined in the State prisons a number of murderers, some of whom have had their sentences commuted to imprisonment for life; and others, having been sentenced to death, are awaiting the Governor's warrant for their execution. Two of the latter class in Clinton prison were convicted for murdering their keeper. It is obvious, as noticed in the special report upon that prison, that the law has no terrors in store and available for the restraint of this class of prisoners. It has already exhausted its power in dooming them to die. Such men should be placed in circumstances where it will be impossible for them to do further harm. This is demanded by justice to the keepers as well as to the other convicts. There is another class of convicts for whom such cells should be provided. It is often necessary to prohibit things in a prison, not because they are bad in themselves, but because, if allowed, the privilege might be abused by bad men. Some of the most annoying and irritating of these restraints might be removed with safety, if a few mischievous men were withdrawn from the body of the prisoners. The multiplication of offences, which are merely *mala prohibita*, and not *mala per se*, is always prejudicial to discipline, and adverse to the reformation of offenders. The erection of the cells contemplated by the law, and the incarceration of dangerous

and irreclaimable men within them, would greatly reduce this class of offences by reducing the necessity for the prohibitions which create them; would increase the security and comfort of the officers; and would materially promote the objects of prison discipline.

VENTILATION OF THE PRISONS.

All the special reports on the State prisons speak of the imperfect ventilation secured by existing arrangements for the introduction of pure air into the prison cells. The odor of the cells, even in the day time, is disagreeable, and in the night it is very offensive. Whether the desirable result of a perfect ventilation of our prisons, or even one approaching perfection, can be secured in the present buildings, is perhaps somewhat problematical; but certainly the question is one which deserves a thorough investigation, and whatever can be done ought to be done to remedy, to the utmost extent possible, existing defects. The subject of ventilation has often been introduced into prison reports, but the evils resulting from impure air seem yet to be very imperfectly understood by the Legislature. More particularly, the relation between vitiated air and that *ill temper*, which generally precedes acts of violence on the part of prisoners, is by no means adequately comprehended either by law makers or prison officers.

THE SECULAR INSTRUCTION OF THE CONVICTS.

It will be seen by referring to the reports of the several committees appointed to inspect our three State prisons, that the gentlemen engaged in that work concur in the opinion that the method of imparting secular instruction to convicts who stand in need of it, is wretchedly inadequate to the end in view. The method consists in the em-

ployment of two teachers for each prison, who spend (say) an hour and a half every evening in going from cell to cell, and giving, as a matter of course, exceedingly brief lessons to an exceedingly limited number of convicts; and yet, with all the haste they can make, some weeks will ordinarily be consumed in making a single round. We believe that the gentlemen employed do as well as they can under the circumstances; but the system, though undoubtedly better than nothing, is still radically defective. There is not only room for improvement, but an imperative demand for it. A competent teacher ought to be employed who should give his whole time to the work, and the prisoners who require lessons should be collected in a classroom for an hour or so each day. If necessary, a few of the better educated and more trustworthy convicts might be detailed to assist in the work of instruction. In this way more useful instruction could be given in one or two hours than is now communicated in a month. The reports of prisons in this and other States enumerate many who have first learned their letters as convicts, and some have esteemed the knowledge gained in prison as worth all the ignominy, toil and suffering, which furnished the occasion of acquiring it. We could point to more than one, who are now filling important and lucrative positions through the education which they gained in prison, having never acquired even the first rudiments of book learning till after their incarceration. One of these persons holds the place of book-keeper in a house in the city of New York.

REWARDS.

This Association has often, in previous reports, expressed

its opinion in favor of introducing into the administration of our prison system, the stimulus of a well-considered and carefully adjusted scheme of rewards for the encouragement of good conduct in the prisoners. We will do no more at present than to re-iterate our former views, and to call the attention of the Legislature, and the community, to those portions of the special reports on the Sing Sing and Clinton prisons, in which, particularly the former, this subject is discussed at considerable length.

PARDONS.

The important question of the pardoning power, in respect to the general policy of this prerogative, its actual extent, and the necessary limitations to be affixed to it, is discussed at much length in the special report on Sing Sing prison. The committee, by whom that report was prepared, have reached, through their inquiries, and have announced, as the result of the same, a conclusion favorable to the establishment of a commission or board of pardon, designed to aid the executive by a thorough investigation of the cases brought before them in applications for pardon made by convicts or their friends. For the views and arguments of the report, in detail, the Legislature is referred to the document itself, as it will be found printed in the appendix.

INSPECTION OF COUNTY PRISONS.

There are sixty counties in the State, in all but four or five of which the prisons have been "visited, inspected, and examined," agreeably to the requisitions of our charter. The gentlemen to whom these counties were assigned, were unable, from various causes, to fulfil the duty laid upon

them, and when the failure became known, it was too late for others to replace them in the labor. For a detail of the results of these inspections, the Legislature and the public are referred to the special reports, in which they are embodied, and which will be printed, *in extenso*, in the appendix. In the general report, we can only present a summary of results, suggestions, and recommendations, drawn from and based upon the above-mentioned detail.

We would remark, in a preliminary way, that the condition of our county jails is very far from being what an enlightened regard to the public interest, no less than the voice of religion and the behests of humanity, require that it should be. Indeed, the great and overshadowing deficiency of the penal system of our State lies in just this class of prisons. The deficiency, however, even here, is not so much in the provisions of law bearing upon the subject, as in the failure to carry existing statutes into effect. The entire system of arrangements and government in our county jails needs a radical reform—needs, in fact, revolutionizing. This seems to us to be the great work before the friends of prison reform at the present time. It is certainly, till accomplished, a material part of the mission of this Association. It is a herculean labor, no doubt, but we feel confident that it can be done. Faith, patience, zeal, prayer, activity, and co-operative effort are essential elements of the problem; but, these elements being given, the solution of the problem—the success of the undertaking—is certain. The system, as now existing, must be approached, prudently, no doubt, and in meekness of wisdom; but, nevertheless, it must be approached, assailed, and

battered with the weapons of truth, of reason, of argument, and of godlike love, till it is swept away by the force of the assault, and a new and better system adopted in its place.

We will now briefly state what appear to us the most objectionable features in the condition and working of our county jails, so far as the same are presented in the special reports herewith submitted :

1. The accommodations of these prisons are far too limited. As a general thing they are not more than half, often indeed less than half, as large as they ought to be, considering the number of prisoners confined in them, and the true objects to be accomplished by them.

2. They are for the most part insecure. This is obvious, as it respects the greater part of these institutions on a very slight inspection, and is confirmed by the numerous escapes effected. Even where escapes are prevented, it is in many cases more by the vigilance of the officers, than from the security of the prison walls.

3. Very many of the jails afford too great facilities for communication with the outside world. Every prison should present a dead wall to the street, or, what is better, should be removed altogether from the street and surrounded with a thick and high enclosure of stone or brick. But the windows of some of the jails open directly upon the highway, and of others free access can be had to them, so that whoever chooses may converse with the inmates, as in some cases outsiders were seen to do in open day by our committees ; and liquor and even implements for "digging out" and breaking jail may be drawn up at night almost *ad libitum*.

4. The internal arrangements of most of the jails are inconvenient, unsatisfactory, and demoralizing. This, indeed, results necessarily from the defect first noticed, the scanty proportions of the greater part of the prison buildings. Such a thing as separation of the prisoners is impossible ; nor can there be any such classification of them as the law requires. Indeed, no classification, of any value, is, or can be, attempted. The drunk and the sober are in some instances separated into two groups ; but even this is not in most cases possible. And everywhere the young and the old, the novice and the expert, the transgressor who has fallen but once and the practised and hardened offender who has committed his score of felonies, are thrown together in a common apartment, where they have nothing to do the livelong day but to recount old deeds of villany, and concoct schemes for the commission of new ones. Here the young, the inexperienced, those who have taken but few and trembling steps in the way of transgression, and even the wholly innocent and uncontaminated, have their passions excited and their imagination inflamed by impure or thrilling recitals, and are quickly and surely initiated into all the arts and mysteries of crime. Though in no instance are men and women reported as occupying the same room, yet in several cases the male and female wards are so situated relatively to each, that the men can go to the door of the women, and converse with them as freely as if they were in the same apartment. In one prison the dark cells used for confining men who have violated the rules of prison life, are actually situated within the ward of the women. In

Lack of Classification

another, the men and women are in different tiers of the same block of cells, whose doors open into the same hall, and the two sexes are separated from each other only by a grated iron floor. In a third, the sexes occupy alternately the same apartments during different portions of the day. In still a fourth, the women at the time of the inspection, were kept constantly locked in certain cells of the male ward, and separated from the men, therefore, only by grated iron doors. This was not done because there was not a distinct ward for the women, but from motives of economy, and because it being cold weather this arrangement would enable the authorities to dispense with one fire. The effect of internal arrangements so defective and objectionable as those above described, must, of necessity, be to make our county prisons nurseries of vice, and not, as all prisons ought to be, schools of reformation. So deeply is this felt by some of our best and wisest magistrates that they sometimes actually let young offenders go free rather than send them to jail, judging such a disposition of them the least of two evils. Recorder Harman, of Oswego, informed a member of one of our committees that he often pursued this course, and felt that he was thereby serving the cause of virtue and promoting the true interests of the community. What horror would seize the people of this State, if any one should propose to open in every county, a school to train our youth in vice, and make them adepts in crime! Yet this is what is, in effect, done (by the aggregation in one company of so many prisoners of every grade of crime and of no crime,) in very many, we fear that we ought to say in most, of our county

prisons. They are far better adapted, and their tendency must, in point of fact, be rather to *make* criminals than to *reform* or even to *punish* them.

5. The ventilation of the county prisons, with scarcely an exception, is most imperfect. Almost everywhere the air of the cells, especially at night, is extremely foul and offensive. "Intolerable" would scarce be too strong a term for describing its condition in some of the jails.

6. The greater part of this class of prisons are horribly infested with vermin of various name. Every fissure, crack, hole or opening of whatever sort in the walls of the cells, and in the wooden bedsteads or bunks, swarms with these pestilent insects.

7. Though the statement now about to be submitted is, happily, not true as respects the great majority of the jails, yet, unhappily, it is true in respect to some of them, viz: that neither wash-basins, soap, towels or combs are provided for the prisoners; and, in a still greater number, there is no positive requirement that the prisoners wash themselves daily, but the matter is left to their own taste. Neglect here is deserving of the severest censure, both because of the importance of the thing neglected, and the ease with which the evil might be obviated. There is a close connexion between the formation of habits of personal neatness in a prisoner and the reformation of his character. Hence an abundant supply of soap, as well as water, should be furnished him, this article being indispensable to the cleanliness, and consequently to the health, comfort and self-respect of the man within no less than of the man without the walls of a prison.

8. In none of the county prisons reported upon, except that in the city of Oswego, is work required of the prisoners. Indeed, nowhere else could they be made to work under existing arrangements and within the limited space allotted to them. This is a grievous deficiency, because, in the first place, idleness is the mother of crime, and because, secondly, in at least the larger and more numerously populated prisons the labor of the inmates might be made to contribute materially to their support. It has just been mentioned that a system of hard labor has been introduced into the jail at Oswego. This reform (for we certainly regard it as such) was accomplished in the following manner: An extensive chair manufacturing firm of that city offered to erect a workhouse,—which was done at an expense of about \$2,000,—and take in payment for it the labor of the prisoners for three years; the structure, at the end of that time, to be the property of the county. This proposition was accepted by the board of supervisors, and in January last the new system was inaugurated. Thus far it has worked well, and to the satisfaction of all concerned, except, it may be, some of the prisoners, who would rather spend their time in idleness than in the toil of the workshop.

9. The means of intellectual enlightenment and culture are not provided systematically in any of the jails; and, although something is done in some of them by sheriffs and keepers, and the members of their families, much to the credit of these persons, particularly in the counties of Chemung and Orleans, yet the provision is necessarily both limited and irregular. There is not a library in a single

county prison in the State, belonging to the prison itself, so far as reported. In some of them not a solitary book was found: no, not even a bible, hymn-book, tract, or scrap of printing of any kind. This is a lack which is much to be regretted, and which cannot fail to bear bitter fruit. It is in sad contrast with the state of things in English prisons of the same class. In a recent report of J. G. Perry, Esq., inspector of prisons to her Majesty, giving the results of a tour of inspection to nearly one hundred prisons, it is stated that in almost every one of them a library is provided for the use of the prisoners, and generally the record is to the effect that the supply of books is ample, as well as appropriate. For its own sake, at least, if not for the sake of the men and women immured within the jails, society should see to it that the prisoners are supplied with an abundance of reading matter suited to their wants; and this more especially, as the weary hours are beguiled by no manual employments.

10. Still more important is the lack of religious effort and religious influences in our county prisons. The law provides that there shall be a bible in every prison cell. In a few cases this provision we believe is complied with to the letter. In very many cases the jails have one or more bibles for the use of the inmates, but cases are not wanting where not a solitary copy of the scriptures is found within the prison walls. Again, the law provides that wherever there is a room suitable for the purpose, and a clergyman of the neighborhood can be secured to officiate, the sheriff of the county shall endeavor to have at least one religious service on the Lord's day, but this

law, to a far greater extent than the other, seems to be a dead letter. It is true, and we rejoice to record the fact, that there are jails—quite a number of them—where the law is carried out literally (as in Troy, Newburgh, Syracuse and elsewhere) by providing clergymen to officiate, and others (as in Elmira) where it is carried out substantially through the volunteer efforts of pious laymen. But these, after all, are exceptional cases. In the major part of the prisons nothing like systematic, scarcely indeed occasional, religious instruction is imparted. It is deplorable to contemplate to what an extent insensibility and indifference to the spiritual interests of the inmates of our jails have seized upon the community. With perhaps a few happy exceptions, little effort seems to be anywhere put forth in their behalf. There are sheriffs who informed the committee of this Association that during their entire term of office, then covering nearly two years, not a solitary individual, minister or layman, had crossed the threshold of their prisons to administer spiritual consolations and counsels to the prisoners, or to seek in any way their spiritual well being.

11. But even where the law referred to in the last paragraph is complied with, and divine service is held in the county prisons on the Lord's day, it very often happens, indeed it most commonly happens, that all moral and religious instruction, all efforts to lead the wretched beings who form the populations of these prisons in the way of life, and to effect a thorough and permanent reformation of heart and conduct, are nullified or greatly impeded by the untoward circumstances surrounding them. As there

is no separation, but all are obliged to congregate in a common apartment, scarcely have the benevolent individuals who officiated left the room where the services was held before the more evil disposed and hardened of the prisoners begin to scoff and jeer and make sport of whatever has been said or done. If any good impressions, as is undoubtedly often the case, have been made upon any minds, such impressions are speedily effaced amid scenes of sportive merriment or ribald blasphemy.

The defects enumerated under the foregoing heads are certainly of serious import, and none can be more sensible either of their existence or their gravity than the officers—the sheriffs and jail keepers—who are charged with the administration of the institutions in which they are found to exist, and whose usefulness they so much impede. Many of these persons have entreated the Association, through its committees, to put forth its utmost efforts to secure the needed reformation. In some instances the evils specified might be remedied by alterations and additions to the present buildings, but in general the cure can be effected only by the demolition of existing structures, and the erection of new ones upon a plan fitted to secure the genuine and appropriate objects of such institutions.

LOCAL COMMITTEES OF CORRESPONDING MEMBERS.

Something may be done, however, by this Association to remedy one of the deficiencies in the county jails as now administered. The agency by which this result may be accomplished is indicated in the following resolution, which was adopted at the stated meeting of the executive committee in November:

Resolved, That the policy of local committees of corresponding members in the several counties of the State, to supervise the jails of said counties, is approved by the Executive Committee; that such local committees be appointed in each county, whenever there is a prospect of advantageous results from the same.

Such, then, is the system to be inaugurated by the board at the earliest moment it can be done with promise of beneficial results. The object will be to secure citizens to serve on the proposed committees who will take an interest in the prison, visit the prisoners, see that the jail laws are carried out as far as practicable, procure through the liberality of the public suitable books and papers for the use of the inmates, hold Sabbath schools and other religious services for their benefit, and seek by all proper means at their command to promote their moral improvement and permanent reformation. This agency, it is believed, will prove more effective for good than auxiliary societies, even if such could be formed, both because the machinery will be simpler and the relation to the parent organization closer and more vital.

INSPECTION OF PENITENTIARIES.

When we turn from the county prisons to the penitentiaries, or workhouses, as they are indifferently called, we encounter a class of institutions differing from the former not only in their principles and objects, but in their modes of administration as well. Excluding from our consideration for the present the penitentiary on Blackwell's Island, which forms a class by itself, we observe that there are five of these county penitentiaries in the State, viz: one in Kings county, at Flatbush; one in Albany county, at Albany; one in Onondaga county, at Syracuse; one in

Monroe county, at Rochester; and one in Erie county, at Buffalo. These prisons, as will be seen by an examination of the special reports relating to them and printed in the appendix, are really admirable institutions, and, for the most part, conducted with prudence and ability.

The project of establishing county work-houses, like every other good work in the way of social reform, encountered everywhere, on its first proposal, vigorous opposition. But truth, reason, and the persevering efforts of the enlightened friends of prison reform at length prevailed, and the work-house system was inaugurated. Three controlling considerations moved the citizens who originated this system in the several localities where it has been adopted—three supreme objects were aimed at by them, viz., the reformation of criminals, the diminution of crime, and a lessened expenditure in the administration of penal justice. All these objects, it is thought by persons on the spot most competent to judge, have been, in a good degree, realized by the system. The Albany and Monroe county penitentiaries not only defray all expenses by the labor of the prisoners, but yield a considerable surplus revenue to their respective counties. The Onondaga penitentiary really does the same thing, though not apparently, because, as the county jail is in the penitentiary, the latter is made to support the former, and the accounts of both are kept together. The Erie county penitentiary does not pay its way; but the reason is, that, as it receives few inmates from beyond the bounds of Erie county, it has little revenue from the boarding of outsiders, and the average duration of the sentences of its prisoners being much shorter, their labor is con-

sequently less profitable. Foreign counties, it should be remarked, send none beyond their own limits, whose terms of sentence are for a less period than ninety days. The report on Kings county penitentiary does not show what relation exists there between the earnings and the expenses.

A committee was appointed to inspect, all the prisons of every grade in the city and county of New York. A variety of circumstances, which need not be detailed, occurred to delay the work of inspection, until it was too late to visit all the prisons, or to make a thorough examination of those which were visited. The Association, without intending the slightest censure, may be permitted to express its regret that the gentlemen composing the committee were unable to complete the task assigned them. One part of their work, however—the inspection of the hospital on Blackwell's Island—was performed with much intelligence and thoroughness; and their report relating thereto, printed, like all the other special reports, in the appendix, will be found to possess much interest. We commend its criticisms and suggestions to the attention of the proper authorities.

PENAL DISTRICTS.

The Executive Committee is so favorably impressed with the excellence and value of the penitentiary and work-house system, that, under certain modifications, they would be glad to see it extended throughout the State. The opinion has been expressed in former reports of the Society, and is still held, that it would be a wise measure to divide the State into a number of penal districts, each district to consist of a convenient number of counties. Let a penitentiary and work-house be erected in some central locality,

and whenever an accused person is convicted and sentenced, whether the sentence be longer or shorter, let him be instantly sent to the said institution, and confined there at hard labor till the expiration of the prescribed term. Under this system, the county jails would become simply detention prisons for the safe keeping of prisoners awaiting trial, and would never be used as places of punishment. They ought then to be so constructed that each inmate would have a cell of his own, sufficiently large and airy, where, separate and apart from all the other prisoners, he would be constantly confined by night and by day, with the exception of such time as considerations of health would require that he should be allowed to exercise in the open air. This Association is of the same opinion it has ever been, and all who have read its reports know that such is its judgment, viz., that, whatever may be thought of separate imprisonment in the case of convicts sentenced for long periods, separation is the true system for county prisons, and especially for county prisons, which, as under the system proposed, would be simply houses of detention.

INSPECTION OF PRISONS OUTSIDE OF THE STATE.

The Corresponding Secretary visited and thoroughly inspected the eastern penitentiary in Philadelphia, and in like manner he visited, but was able only cursorily, to examine the provincial penitentiary in Kingston, Upper Canada. His reports, embodying the results of these examinations and printed in the appendix, will be found to contain many facts, both interesting in themselves and useful for purposes of comparison.

PROPOSED STATE PENITENTIARY.

A copy of a communication addressed to the Comptroller of the State and others, by Mr. A. B. Tappen, a member of the board of State prison inspectors, affirming the necessity of a new State penal institution, and proposing to give the said institution, if established, the name of State penitentiary, has been transmitted by the author to this board. A special committee was appointed to consider the said paper, which committee submitted a report that will be found in the appendix. The conclusion reached by the committee on grounds and reasons which are fully set forth in their report, is that such an institution is needed and ought to be established. This Association concurs in the belief that such additional prison may soon become a necessity, and would gladly aid, to the extent of their ability, in the furtherance of the project, more particularly if such form can be given to the administration of the proposed institution, when completed and set in motion, as to free it from the blighting influence of partizan politics.

LENGTH OF SENTENCES.

Another paper was communicated to the Association by Mr. Tappen, which was originally addressed to the judges of courts having criminal jurisdiction, for the purpose of calling their attention to the evil effects arising, or supposed to arise, from sentences of undue length. A committee appointed to consider the same submitted a report—also inserted in the appendix—affirming, in substance, that the subject was an important one; that time was wanting for a due consideration of it; that the necessary *data* for a satisfactory judgment were not at hand; that the length of

sentences and the power of pardon are so blended as to increase both the difficulty and delicacy of the question; that subjects of this nature should be considered only in conjunction with judges, legislative committees and penologists; that sentences excessively short (a thing not rare,) are as great an evil as sentences excessively long; that long sentences are sometimes unavoidable; that in every case it must be considered whether the sentence is disproportionate to the crime; and that there is a class of long sentences—those, namely, arising from the simple addition of a number of sentences for a corresponding number of crimes identically the same—which deserve the gravest attention, but the committee cannot now give to it the consideration which it merits. The committee, without giving an opinion on the question submitted to them, and indeed feeling themselves, as they aver, neither competent nor authorized, under the circumstances, to pronounce such opinion, asked to be discharged from the further consideration of the subject. Their report was accepted, and the committee discharged agreeably to their own request.

Despite the able, as well as cautious, report of the distinguished gentlemen composing the committee, this Association desires to reiterate and re-affirm the position which it long ago took on the question under consideration. In a report of the standing committee on prison discipline, made to and approved by the Association in 1846, of which committee the late John Duer, Benjamin F. Butler, Theodore Sedgwick, and Willis Hall—*clara et venerabilia nomina*—were members, the following passage occurs: "Observation has convinced us that the discretionary power now

confided to the judiciary, is so exercised as to occasion great disparity of punishment for the same offence, and that convicts from one part of the State pay a greater penalty for their crimes than those from another; and so frequently has this fact been made apparent, that we think it entitled to serious consideration. *But this inequality in the length of sentences is not, perhaps, so great an evil as the length of sentences themselves.* This is a matter of vast importance, both in its relation to the ends of justice and the reformation of the convict. To those most familiar with prison discipline, it is apparent that in many prisons, and for many crimes, the period of confinement is too protracted; and it is a question which we would submit for examination, whether the periods of imprisonment in most of the prisons might not be advantageously shortened."

Three years subsequently, in 1849, the committee—the same gentlemen, with the exception of Mr. Sedgwick, serving as members—having made, as it would seem, considerable progress in the direction of short sentences, hold the following language: "The public sentiment, of late years, following out the sentiment embraced in the prison law of this State, declaring the establishment of the State prisons to be 'for the security and reformation of convicts,' has favored a reduction of the terms of sentences, especially for first offences. In this sentiment the prison officers, particularly those best able to judge of the influence and effect of long terms of imprisonment upon the temper and physical and mental vigor of convicts, have participated; and the warden and physician of Auburn prison, in their reports last year, particularly directed

attention to this subject. The warden was satisfied that few could 'bear an imprisonment eight or ten years, without becoming both mentally and physically debilitated;' and the physician expressed the opinion that 'five years is the longest term which a convict can pass in confinement, and be restored to the world with a sound mind in a sound body.'" The committee continue: "The permanent security of the community is best effected by the adoption of such term of confinement as will be most likely to eventuate in the reformation of the offender, and his restoration to society in that frame of mind and soundness of body, which will induce and enable him to become an honest and useful citizen. It is very questionable whether this is consistent with long terms of imprisonment. The convict looks upon the apparently extreme rigor of the law, of which he is the object, in the light of vindictiveness and revenge. He considers society, to use a prison phrase, as "down upon him;" and he broods, in sullen moroseness, over his supposed or real wrongs, thus indulging in a frame of mind exceedingly unfavorable to moral impressions or religious influences. If, however, the term of sentence be such that he is compelled to feel that mercy has been an attendant on justice, his heart is affected and his feelings softened, and he is in a frame of mind most congenial to right impressions, and most ready to form and cherish good resolutions. If the criminal can be reformed at all (the committee go on to say), we doubt if a two or three years' effort will not be as effectual as if prolonged to five or ten years. Indeed, we consider an excessive infliction as prejudicial to every influence calculated to restore him to the

world in that health of mind and body, which would make him a respected and useful citizen. Long confinement impairs the free and healthy working of the mind as well as the vigor of the body. Inanition is unfavorable to both. It is confidently believed by those who have given most attention to the subject, that for many crimes the statute prescribes or allows a much longer sentence than the public good or the welfare of the criminal demands."

CAUSES OF CRIME.

The committee, who inspected Clinton prison, report that they saw and conversed with ninety-five convicts in their cells, with a view to ascertain, if possible, the causes which led them to the commission of crime. The committee present, in detail, the results of these interviews. The following summary will be found instructive. Fifty admitted intemperate habits. This, however, falls far below the truth. On carefully questioning those who claimed to be temperate, answers were obtained quite incompatible with such a claim. The committee say they have no doubt that nine-tenths of these convicts were grossly intemperate. Fifty-four acknowledged habitual disobedience to their parents; ten, that they were *somewhat* disobedient; and thirty-one professed to have been obedient sons. Sixty-nine had never learned a trade. Twenty-five had lost both parents, and twenty-three one parent, while yet children or youth. Of the forty-seven who were neither orphans nor half-orphans, a considerable number had left their parents when very young, and others said that their parents had almost entirely neglected them in childhood. Fifty-nine *never* attended Sabbath school; thirty-six claimed to have attended.

Of these, the greater part admitted their attendance had been irregular; and many of those who professed to have been regular attendants could not tell what was taught in Sabbath schools. Thirty-eight owned that they had been addicted to licentious habits. Most of them admitted that they had received little or no religious culture in early life.

A member of the committee who visited Auburn prison reports having conversed with fourteen convicts. Ten acknowledged that they had been intemperate, and the other four that they drank occasionally, and sometimes to intoxication. Ten had not attended Sunday school in their childhood, and nine had never been regular attendants at church. Nine owned that they had been habitual Sabbath breakers in their youth. Seven were orphans or half-orphans in childhood. Seven confessed that they had been addicted to the company of lewd women; several of them excessively so, and to the great injury of their health. Eight had been in the habit of going to theatres; five had gambled more or less, and six had been tavern haunters. One had received a superior education; seven could read and write; one could read only, and five could do neither. Their religious education had been almost totally neglected.

The most common answer to the question "What first brought you to evil courses?" was: "Bad company." If they were intemperate, it was bad company that first led them to the use of liquor. If licentious, it was bad company that brought them into contact with lewd women. If Sabbath breakers, it was bad company that first induced them to abandon attendance upon the Sabbath school and

the church. If they had been theatre-goers, tavern-haunters, or gamblers, it was still the same; bad company led to all these evil practices. The steps in the downward road seem to be generally as follows: First, absence of parental restraint and instruction; this, almost invariably, is followed, secondly, by association with bad company; this, in like manner, nearly always leads, thirdly, to Sabbath breaking, and, fourthly, to the formation of intemperate habits; which prepares the way for, fifthly, a connection with bad women; the expenses incurred by this connection conducts to, sixthly, robbery, forgery, and other crimes against persons and property.

A paper on the "Sources of Crime," prepared by the Corresponding Secretary, and containing many interesting facts and reasonings, will be found in the appendix.

FINANCES.

The financial affairs of the Association will be found stated in detail in the report of the treasurer.

APPLICATIONS FOR BACK REPORTS.

It happens, not unfrequently, that application is made by persons distant from the seat of our operations for sets of the back reports of the Association. Such applications cannot now be met—the supply of the documents sought having long since been exhausted. In view of this state of facts, and to meet the wish referred to, as far as it can be done under present circumstances, the Corresponding Secretary prepared a brief history of the Association, which was published in the January number of the "Methodist Quarterly Review," and will be found reprinted in the appendix to this report.

COURTESY OF PRISON OFFICERS.

The Managers of this Association record their grateful appreciation of the courtesy of the wardens, superintendents, and other officers of our penal institutions. Though invested by the Legislature with a right of entrance and inspection, yet they are none the less thankful to prison officials of all grades for their ready assistance to our examining committees.

THANKS TO PATRONS AND FRIENDS.

The Association desires to express its gratitude to the Legislature for the liberal appropriation of three thousand dollars (\$3,000), made to its treasury by that body last year. The aid thus rendered has enabled us to pursue our work, and particularly the work of prison inspection, with a vigor and to an extent, surpassing all our past experience. We respectfully ask an appropriation of like amount for the year upon which we are just entering, and in return, we pledge ourselves to even a more zealous prosecution of the duties laid upon us by our charter of incorporation. Our thanks are also due, and are heartily given to the Common Council of New York, for the generous assistance extended to us in the labors—always arduous, often toilsome and self-denying—to which we are devoted.

Nor must we omit, from our remembrances of kindness and the expression of our grateful feelings, those private citizens, friends new and old, who have, during the past year, bestowed their gifts upon us with a willing generosity; characteristic of this warm-hearted, free-handed and truly princely metropolis.

To the conductors of the press, both in town and country,

who have freely opened their columns to our use and cheered us with approving words; to the members of the bar, who have at our request and without pecuniary recompense, pleaded the cause of the friendless and the destitute; and to railroad companies that have furnished free passes to our corresponding secretary, we tender our grateful acknowledgments.

But most of all, our thanks and the utterance of our thanks are due to that Benignant Being, who has compassed us about with his favor as with a shield, whose power has been our strength, his smile our sunlight, his blessing our success.

All which is respectfully submitted to the Legislature, by order of the Executive Committee.

JOHN DAVID WOLFE,
President.

JOHN H. GRISCOM,
Chairman Executive Committee.

E. C. WINES,
Corresponding Secretary.

OFFICE N. Y. P. ASSOCIATION, 46 BIBLE HOUSE, }
NEW YORK December 31, 1863. }

APPENDIX.

1863

(A.)

I. REPORTS ON STATE PRISONS.

1. SING SING PRISON.

The special committee appointed to visit and inspect the prison at Sing Sing having, to the best of their ability, discharged the duty assigned them, respectfully submit the following

REPORT.

The committee have endeavored in their investigations to follow as closely as possible the path marked out by the charter of the Association. By the law which gives us our corporate existence we are required "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*." This provision suggests a programme of inquiries by which the committee were guided in discharging the trust confided to them. Accordingly they inquired into

1ST. THE STATE AND CONDITION OF THE PRISON.—The subordinate divisions, under this head are: 1. The premises and buildings: 2. The religious, moral and intellectual relations of the prison. 3. Its physical and hygienic relations.

2D. THE GOVERNMENT OF THE PRISON.—The subordinate divisions here are: 1. The officers, their duties and qualifications. 2. Inspection, both general and special. 3. Executive administration.

3D. THE DISCIPLINE OF THE PRISON.—Subordinate divisions here are: 1. Police regulations. 2. Vigilance of officers. 3. Punishments. 4. Kindness. 5. Rewards. 6. Intercourse of prisoners. 7. Pardons. 8. Reformatory results.

4TH. MISCELLANEOUS INQUIRIES—the "*other things*" named in the charter. The subdivisions here are numerous. Among them are the social, educational and industrial relations of the convicts; the relations of race and nativity; their moral condition and pursuits prior to conviction; terms of sentence; crimes; overwork; contract system, &c., &c.

I. STATE AND CONDITION OF THE PRISON.

A. PREMISES AND BUILDINGS.

1. PREMISES.

a. Prison Farm.

The prison premises at Sing Sing contain seventy-seven acres, with a front of 1,419 feet on the Hudson river. The boundary line is somewhat irregular, but the form is, in the main, quadrangular. There are seven or eight acres between the railroad and the river which are occupied by the buildings, gardens, yards, and docks belonging to the male prison. The remainder lies along the slope and on the brow of the hill. The surface is broken, with limestone rock cropping out at numerous points. The soil is a light loam, and the subsoil sand and gravel, except, indeed, where the soil rests directly upon the rock itself. About 37 acres of the land are used for farming purposes, which have yielded, during the past year, 30 tons of hay, 7,000 heads of cabbage, 200 bushels of onions, 200 bushels of beets, 100 bushels of turnips, and 80 bushels of carrots. These products, at present prices, are worth \$1,530. There have been made, also, within the year, on the prison premises, 98 barrels of pork, which, at \$15 a barrel, are worth \$1,470. This, however, cannot properly be credited to the farm, as the hogs consume the entire offal of the prison, an inappreciable fraction of which is afforded from this source.

b. Prison Burying Ground.

There is a prison burying-ground on the premises, two or three acres in extent, which, with the exception of broken and precipitous portions, is now nearly full. It will soon become necessary to set apart an additional tract for this purpose.

c. Fences.

While a portion of the fences, perhaps one-half, consists of substantial stone walls, the remaining portion offers but a feeble barrier to the intrusion of the cattle of neighboring residents, some of whom do not hesitate to aid the trespass by stripping off the boards. A member of the committee, in walking over the premises with the warden, saw a herd of six intruding cows quietly luxuriating on the State grass. If the farm is retained,

it should be provided with good and secure fences, and these with gates; a convenience not to be found on the premises at the present time.

d. Roads.

There are two public highways running through the prison premises, besides the Hudson river railroad. The main river road passes through the grounds from north to south; and from this another road, near the southern boundary, branches off to the right, and leads up to the village of Sing Sing.

e. Gardens.

There are two vegetable gardens; one, containing an acre or more, belonging to the male prison; and the other, about one-third as large, belonging to the female prison. The latter is quite new, having been made only within the last year, but the soil is excellent, and capable of being made to yield abundantly. The former is handsomely laid out in plots, bordered with box or grass, has a number of arbors, and is well stocked with cherries, pears, plums, and grapes. As, however, this part of the premises has been wholly reclaimed from the river, and the soil rests upon a base of rubble stone and much of its strength has consequently drained through, a good thick top dressing of fresh mould is much needed.

f. Drainage.

Owing to the character of the ground at Sing Sing, but little drainage is required. One-sewer answers every purpose. This carries off the foul water from the wash-house, bathing-room, kitchen and mess room, and the faces from the hospital.

g. The Quarries.

There is an inexhaustible supply of building marble on the prison premises. One quarry only, however, is worked at the present time, on which 60 convicts are employed. To watch these men and prevent their escape, ten or twelve guards and two keepers are required; and to haul the stone, after they have been quarried, three or four yoke of oxen, with their drivers, are needed. This involves an expense nearly equal to the entire earnings of these 60 convicts. The pecuniary interests of the prison and the State would be promoted by the abandonment, at least for the present, of this branch of labor for all purposes other than that of enlarging the female prison, as already pro-

vided for by law, of building a wall around the male prison, and of making such other additions to the prison buildings as may be ordered by the proper authorities.

h. Yards and Docks.

The various prison yards, covering an area of several acres, are kept free from needless rubbish, and have a neat and tidy look. In this respect they offer a strong contrast to their condition under some former administrations. Small grass plats have been laid out in different places, which relieve the eye by their verdure, and give a pleasing air to the scene. Particularly, the long yard in front of the male prison has been laid out in walks and flower beds, bordered with fringes of green grass, and, with these and its neat little marble basin for gold fish and the tiny fountain which feeds it, presents a tasteful appearance. The dock has a front of 1,419 feet, with a basin at the north end. Owing to the shallowness of the water along the greater part of this front, the facilities which it affords for lading and unloading vessels are not very ample. Immense sums of money have been expended in filling in the river and making ground here. It had been quite as well, perhaps, to use that which nature had provided.

j. The Question of a Prison Wall.

The female prison is already surrounded by a wall. The question arises, would it be desirable to have a like defense for the male prison? The committee are of the opinion that a wall around the male prison is desirable, and they will add, in their judgment, necessary. A wall would considerably diminish the expenses of the prison, as a large proportion of the guards now required might, in that case, be dispensed with. We would, therefore, recommend that a wall, of the necessary thickness and height, be immediately commenced, and its erection, which should of course be accomplished by prison labor, be pushed with as much speed as practicable, without deranging the present industrial system of the institution.

k. Improvements.

Numerous improvements have been made by the present warden, Hon. G. B. Hubbell, whereby the grounds have gained much in appearance, many conveniences have been added, and the value of the prison property considerably increased.

2. BUILDINGS.

a. The Male Prison.

The male prison is a vast structure, built of hewn stone, obtained from the prison quarries. It is 494 feet in length by 44 in width, and contains 1,194 cells. The cells are back to back, and their dimensions 7 feet long, 3 feet 4 inches wide, and 6½ feet high. The hall encircling the cells is 9 feet wide. The galleries of the four lower stories are of wood; those of the two upper stories of iron. In front of each cell is a window in the exterior wall, three feet long by one foot wide. This building, viewed in relation to its purposes, is open to several criticisms. 1. It is too high. Originally it was four stories. When an enlargement became necessary, a fifth story was added. Subsequently, when still further accommodations were needed, it was raised to a sixth story. In both instances, the enlargement should have been made by adding to the length of the building, or putting up another. 2. The hall is too narrow for so immense a pile. 3. The cells are too small for either health or comfort. 4. The windows are altogether too diminutive in size; in a cloudy day, none but the best eyes can read with ease. And, lastly, the wooden galleries should be replaced with iron ones.

b. Dwelling of Warden and Officers.

The residence of the agent and warden and the officers of the prison are under the same roof. The building containing them is a plain but substantial stone structure, two stories high, with a basement, and having a front of 50 feet and a depth of 4½ feet. The accommodations here are much too limited for the purposes to which they are devoted. More room is greatly needed.

c. Building containing Mess room, Kitchen, Chapel and Hospital.

This is a massive structure of hewn stone, like most of the edifices belonging to the prison. The portion of it which is two stories high, is 160 feet by 64; and there has been added, to enlarge the kitchen, another portion only one story high, which makes the length of the entire pile 190 feet. The kitchen and mess-room are on the first floor; the former is 55 by 60 feet, and the latter 135 by 60. The chapel and hospital are in the second story; the former being 135 feet in length by 60 feet in width, and the latter 78 feet long by 60 feet wide. All these rooms, except the kitchen, are too small for the purposes to which they are devoted. It will be easy to enlarge them by adding to the

length of the building, for which authority has already been granted by the Legislature; and whenever it is increased in length, it ought to be raised at least 12 or 14 feet. The ceilings, both of the mess-room and chapel, are much too low. The chapel in this prison is inferior to that of either of the other State prisons, and indeed it is quite unworthy of this vast metropolitan institution. All its appointments need re-modeling and improving. And, while the committee are far from recommending expensive decorations, they are, at the same time, of the opinion that the entire fitting up of a prison chapel, and particularly of the chapel of this prison, should be neat, cheerful, attractive and comfortable.

The hospital, also, requires many improvements; but this subject will be noticed in a subsequent portion of our report.

d. Chaplain's Office and Library Room.

The chaplain's office and library room consist of two apartments, whose entire dimensions, taken together, are 29 feet by 16 feet. They form about one-fourth of the second-story of building, of which the remaining portion is occupied as a store room. One-half of the upper story of the said building might be, at a moderate expense, suitably fitted up for the purposes named, and would afford accommodations by no means too extensive either for convenience or comfort. As at present arranged, the chaplain's office, considering that it holds the library also, is cramped, comfortless, and inconvenient in the extreme, and may be pronounced scarcely less than a disgrace to the institution.

e. The Work Shops.

There are no less than 16 workshops, accommodated in 1 edifices, most of them of massive masonry; the bare mention of which fact conveys a vivid idea of the immense extent and vast and diversified operations of this prison. They are: a shoo or cooper shop, a file-cutting shop, a weaving shop, a file-forging and grinding shop, a buckle shop, an auger shop, a weaving and dying shop, a foundry for casting harness and carriage hardware, and for making the same malleable; a boot and shoe shop, another weaving and dying shop, a cabinet shop, a hat shop, a State shop for making prisoners' shoes and clothing, a stove foundry, (or what was such once), a hame shop, and a general jobbing shop. These numerous edifices, dedicated to the mechanical operations of the place, as to their relative location,

appear to have little or no arrangement other than a haphazard one. They have been placed without the least regard to symmetry or convenience. By this arrangement, or rather want of arrangement, the cost of supervision is much increased; since, owing to the want of convenient openings and vistas, a greater number of guards are required for effective observation than would otherwise be necessary. The jobbing shop is east of the railroad; the rest are all between the railroad and the river. The jobbing shop ought, for reasons connected with the discipline of the prison, to be removed to a location within the premises appropriated to the other workshops.

f. Female Prison.

The female prison is a marble building, two stories high, with a basement in the front part, entirely above ground. It is situated on the brow of the hill, directly above the male prison. It has a front of 50 feet, with a Doric portico, and a depth of 150 feet. There is a wall around the premises, formed in part by a building used as a chapel and workshops. That part of the edifice overlooking the Hudson river is appropriated as a dwelling for the matron and her household. The remainder is used for prison purposes, and contains the cells, 108 in number, the hospital, nursery, kitchen, dining hall, (which, by the way, is only a part of the main hall surrounding the block of cells), &c., &c. There is a long, narrow building, forming, as before stated, a part of the prison wall, the lower story of which is used as a chapel on Sabbath and a State workshop during the week, and the upper story as a workshop for contract labor. This prison needs enlargement; and when it is enlarged, the roof should either be covered with tin or receive a greater pitch. Besides additional cells, there ought to be a separate dining hall, and a chapel appropriately fitted up, and devoted to religious uses exclusively. The kitchen is much too small for the various operations performed in it. The cells of the female prison are larger than those of the male, being 8 feet long by 4 feet 2 inches wide.

g. Guard House and Guard Posts.

There is a stone guard house, 40 feet by 22, standing on the slope of the hill between the male and female prisons. Here the guards, who are off duty, remain during their intervals of relief, always ready for any sudden emergency that may arise.

Here also are kept all the arms belonging to the prison. The said arms consist of 65 carbines, 47 muskets, and 11 navy revolvers. The carbines and muskets are provided with bayonets. There should be added a sufficient number of pocket revolvers to supply every officer in the prison with this weapon. There are 18 guard posts. Eleven of these are called all-day posts, because the guard on duty remains the entire day, and these posts are provided with stoves. Seven are called relief posts, the occupants of which are changed every hour and a quarter through the day. These guard-posts, with the exception of a neat and comfortable one just erected on the dock, are wretched, unsightly affairs, comfortless to the occupants and offensive to good taste. Should the quarrying and lime burning business be given up, and a wall be erected around the male prison, most of the guard posts would, as a matter of course, be abandoned as unnecessary; but if this is not done, or is long delayed, the present structures ought to be replaced with new and better ones.

h. Stables and Piggery.

There is a large piggery belonging to the prison, in which 140 to 150 hogs are kept upon the offal of the kitchen. All is under one roof, but there are numerous stalls, with pens running out in the rear of each, into which the animals can go to root, and enjoy the outward air. But, unfortunately, this structure is built directly over the stream, which conveys the water from the quarries to the river. This not only keeps the pens always muddy, but washes away much of the manure, and takes the heart out of the rest. The locality should, therefore, be changed, or an underground sewer should be constructed, which would convey the water to the river, without washing the pens, as is now the case.

Directly in front of the male prison, but on the opposite side of the railroad or highway, stands a collection of buildings, consisting of horse, ox, and cow stables, hay lofts, straw barn, wood shed, soap boilers' room, and the various structures composing the jobbing shop—as carpenter's, paint, cooper's, tin and blacksmith's shops. The committee think that that part of the premises should be cleared of this mass of old sheds and out-houses.

i. Pest House.

A few years ago a small building was erected some distance up the slope of the hill, to receive patients affected with con-

tagious diseases of a dangerous character; but, we believe, it has never had but one or two occupants. It is improperly located, badly constructed and ought to be removed.

B. RELIGIOUS, MORAL AND INTELLECTUAL RELATIONS.

I. RELIGION.

a. Chaplain—his personal labors.

The present incumbent of the chaplaincy is the Rev. John Luckey. This gentleman entered the prison service as chaplain in the year 1839, and, with an interval of eight years, has continued to the present time. His services cover a period of sixteen years. His long term of service, and his re-appointment after a temporary suspension of the functions of the chaplaincy, have, in the judgment of the committee, been merited by the fidelity, zeal and prudence which have ever characterized Mr. Luckey in the discharge of his duties. And these duties have been neither few nor light. Besides two religious services on the Sabbath, one in the male and one in the female prison, Mr. L. meets the prisoners every day in the mess-room, at 12 meridian, and offers a short prayer at the table before they take their dinner. During the week he is in his office at the prison from 8 A. M. to 4 P. M., without even going home to dinner, busily engaged in reading letters written by convicts to their friends, or received by them from friends, and in personal conversation with convicts on the state of their souls, either those who voluntarily seek him for the purpose (and there is quite a number of such), or those in reference to whom something contained in letters written or received affords a fitting opportunity for religious counsel. Every third week he spends parts of one or two days in the female prison, superintending the writing of letters of female convicts, and conversing with the serious and the sick. At other times he goes to the female prison when he is sent for.

b. Sabbath Services.

Divine service is held every Sabbath morning, from 9 to 10 o'clock, in the male prison. Here all the male prisoners, with few and necessary exceptions, are assembled, and engage in the usual offices of public worship—prayer and praise, and listening to the word read and preached. A similar service is held in the female prison from 10 to 11 A. M. Nowhere is the public worship of God observed with greater decorum, solemnity and devout

attention than in these convict congregations. The singing, which is in both prisons supported and aided by a melodeon, is particularly hearty. Nor are evidences of emotion wanting, but, on the contrary, quite frequently exhibited, in the deep-drawn sigh and falling tear. The committee cannot doubt that salutary impressions are often made by these services, and they are not without the hope that such impressions sometimes have a saving issue.

c. *Burial of the Dead.*

When a convict dies in the prison, his friends, in all cases where it is possible, are immediately apprised of the fact, that they may, if they choose, claim and remove the body. This, however, is very seldom done; not more perhaps than one or two per cent. of those who die being thus reclaimed. If the bodies of deceased convicts are not taken by their friends, the law allows medical schools to receive and appropriate them for purposes of dissection. But they are claimed even less frequently by these institutions than by friends. So that, after deducting a very minute fraction, all who die here are buried on the prison premises. The body, after death, is washed and decently laid out and coffined. It is then removed from the hospital to the dead-house, where it is safely kept for 36 to 48 hours, after which, under the supervision of a guard, it is borne by four fellow convicts and deposited in its last resting place. There are no religious offices at the time of burial; but the chaplain announces the death at the next public religious service, adds a few appropriate remarks, and makes a fitting reference to the event in his prayer. It seems to the committee that it would be decent and suitable that the chaplain should accompany the remains to the burial. Such was formerly the practice.

d. *Convicts' Prayer Meetings.*

There are two convicts' prayer meetings at Sing Sing, one in the male and the other in the female prison. At the urgent solicitation of many prisoners, the warden and chaplain, after consultation and deliberation, determined to permit the experiment of a convicts' prayer meeting. The first meeting was held on the 1st day of September, 1862, and the service has been continued bi-weekly ever since, being held every alternate Monday afternoon, at 4 P. M. The chaplain presides, and selects the hymns, but the convicts offer prayer and make remarks as they

feel inclined. No convict can join the meeting as a member but by leave of the chaplain, nor can any member attend any particular meeting unless he has completed his task for the day. Mr. Luckey has submitted the minutes of this meeting to the committee, and one member of the committee has twice attended the service. The meeting began with twelve members, but has gradually increased till it now numbers fifty or more. The average attendance is about forty. Some half dozen prayers and a few brief rehearsals of religious experience, or mutual exhortations to duty, interspersed with the singing of hymns, make up the exercises of these simple reunions. In the minutes of one of these meetings, the chaplain says: "Only about one-third of those whom we have admitted to our prayer meeting are, in my opinion, thoroughly changed in heart. The remainder are seriously inclined for the present. If they fall out by the way—which under their peculiar disadvantages would not surprise us—the present restraint, which this connection imposes, improves the discipline, and is therefore a decided benefit." Another record is this: "The son of one of our ministers, who has been a great grief to his pious friends, was specially wrought upon." A subsequent minute, referring to the same case, is in the following words: "Poor — was most deeply affected with a sense of his sins. He is a son, the only son, of a minister. May he soon find relief." At another time the chaplain writes: "I am satisfied that, in the main, the object of those who attend this meeting is spiritual benefit. But, oh! how frail and ignorant they are! Consequently, we hope with much trembling." After the 25th meeting, he says: "Neither on this nor any former occasion was there an attempt made at private communication. In fact, I never attended any social meetings more silent, orderly, and apparently devout than these convict prayer meetings have been."

Since this meeting commenced some ten or twelve of its members have been discharged from the prison. From nearly all of these one or more letters have been received; some addressed to the chaplain, some to brother convicts, and some to the meeting itself. These letters, to the number of fifteen or twenty, have been placed in the hands of the committee. We wish that our limits would permit extracts. The spirit of penitence, humility, faith, prayer, and steadfast resolution, which breathes through these effusions of the heart, could then be seen by all.

The establishment of the male prayer meeting was soon followed by the organization of a similar service among the female convicts, which is held weekly instead of bi-weekly, as in the case of the men. This meeting, which now counts some forty members, has been no less successful and happy in its influence than the other. The average attendance is thirty or upwards, sometimes as many as fifty attend. A different rule obtains here from that which prevails in the male prison. Owing to the comparatively small number of convicts, there is no restriction upon attendance, but all come to the meeting who choose.

e. Religious Efforts of Persons not Connected with the Prison.

Considerable labor is expended upon the convicts, with a view to the promotion of their spiritual interests, by persons who have no official connection with the prison. A merchant of New York, who has a country residence at Sing Sing, attends at the prison the first Sabbath of each month, and addresses both the male and female convicts in a series of lectures on the Bible, greatly to the acceptance and edification of his hearers. After these addresses, this gentleman spends the rest of the day in going from cell to cell, and holding personal conversation with the prisoners on their spiritual condition and interests. He makes full reports in writing of these visits to the chaplain, which have been submitted to the committee, and from which it appears that a considerable amount of good is accomplished by them. Two or three other gentlemen and a few Christian ladies, also, take a deep interest in the religious welfare of the prisoners. They visit the prison, attend the prayer meetings, address the convicts there assembled, and converse with individual convicts, often to their great advantage. It ought to be mentioned that outsiders are not indiscriminately admitted within the prison walls to engage in labors of this kind, but such only as have the approval of the proper authorities. It would be well if more of this outside labor, of the right kind, could be brought in. A committee of the Prison Society of Philadelphia, visit and converse with all the convicts in the eastern penitentiary, as many as four times each year, and spend an amount of time upon this work equal to the full time of one man from the beginning to the end of the year.

f. Sabbath-School in the Female Prison.

There is a Sabbath-School in the female prison, from 9 to 10 o'clock, every Sabbath morning. It is conducted by the principal matron, aided by her daughters and one or two of the assistant matrons. The exercises consist of Scripture lessons and the singing of hymns, the hour being about equally divided between the two. The school is attended by all the inmates, many of whom not only evince but express much interest in its exercises. It is to be regretted that similar opportunities are not extended to at least as many of the men as might wish to profit by them. Both the Auburn and Clinton prisons have such schools, and they are found to be greatly to the advantage of the convicts. The committee would urge the organization of a male Sunday-School at Sing Sing.

g. Religious Offices to the Sick.

The chaplain visits the hospital every day, between the hours of 12 and 1, to minister to the spiritual necessities of the inmates by counsel, prayer, and exhortation, as there may be occasion and opportunity.

h. Bibles for the Use of Convicts.

The law requires that every cell be provided with a copy of the sacred volume, at the expense of the State. This provision is fully met, both in the male and female prisons. The Bibles furnished are in six different languages—English, German, French, Spanish, Italian, and Low Dutch; so that each prisoner (who can read at all) is able to read the word of God "in his own tongue wherein he was born." Quite a number of the convicts appear to be diligent Bible readers.

i. The Prison Choir.

There is a choir at Sing Sing, in the male prison, consisting of 12 to 15 convicts, who meet every Saturday afternoon, under the supervision of the chaplain, to practice for the ensuing Lord's day. The chapel is provided with a melodeon, which was procured in the following manner: A committee of prisoners, representing one of the workshops, called upon Mr. Hubbell, to inform him that the said shop had subscribed \$60 out of their earnings by overwork, and to request his permission to use it in the purchase of a melodeon. Leave to that effect was granted. At the next meeting of the Inspectors, Mr. H. related the circumstances to those gentlemen, who, much to their credit, promptly

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ordered the bill to be paid out of the prison treasury, and the money donated by the prisoners to be returned to them. There is also a melodeon in the female prison. In both departments, the office of praise, in the services of the Sabbath, is performed with much spirit, a large part of the convicts joining in this office along with the members of the choir.

j. Baptisms in the Prison.

It happens, occasionally, that convicts, who profess conversion, of whom there are perhaps 50 in the whole prison, apply to the chaplain for baptism. A request of this kind is never granted, except where the applicant, after a course of instruction suited to such cases, and after repeated examinations, gives credible evidence of a genuine change of heart. This ordinance has been administered, we were informed, to 15 or 18 prisoners within the past year. The ceremony is privately performed in the chaplain's office. A service of this kind, at which six convicts (one of them a converted Israelite) received baptism, was held during the progress of the committee's investigations. A member of the committee conversed personally with each of the candidates, and, in his judgment, their answers to the questions put were about as satisfactory as the average statements of candidates for admission to the church. How they may hold out is another matter, which time alone can reveal.

k. Is One Chaplain Sufficient?

The important inquiry arises, at this point, whether one chaplain is enough for the service required here? The committee feel no hesitation in giving a negative answer to this interrogatory. They avow this opinion upon two grounds, the size of the institution and the supreme importance of religion as an element of reform. In the first place, there are, in reality, two prisons at Sing Sing, a male and a female, with a prison population amounting, at times, to 1,500 souls. This is a great charge. It would be so, even if all were enlightened, virtuous and religiously inclined. But its duties are much increased, both in their number and difficulty, by the fact that the mass of these people are quite the reverse—ignorant, vicious, and, in temper and habit, averse to piety. In the second place, the committee have a profound conviction of the inefficacy of all measures for reformation, except such as are based upon religion, impregnated with its spirit, and vivified by its power. In vain are all meas-

ures of repression, punishment, coercion, even counsel and re-monstrance, if the heart and conscience, which are beyond all power of external restraint, are not touched. The committee think, therefore, that the religious element ought to be made much more prominent in the administration of the prison than heretofore it has been. There should be a formal recognition of the being and providence of God each morning in the solemn reading of his word, and a devout calling upon his name, and about the middle of the week, there should be interjected a service similar to that of the Sabbath, though it might be made a little shorter. It is a significant fact that, of the \$120,000, which are expended annually on the maintenance of this institution, the mere pittance of \$1,500 is the sum total of what is employed in providing for the religious and mental wants of the prisoners; all the rest is devoted to the physical, industrial and disciplinary relations of the prison. On the grounds, thus briefly set forth, the committee would venture to recommend the appointment of an assistant chaplain. Mr. Luckey, at an advanced age and after long and faithful service, is overworked; and even if he were still young and vigorous, the work which ought to be done would be beyond his strength; it is beyond the strength of any one man. For obvious reasons, if an assistant chaplain should be appointed, the senior chaplain should have the privilege of nomination. An *imperium in imperio* would not be likely to work advantageously.

2. SECULAR INSTRUCTION.

a. Prison Library.

There is a library in the male prison at Sing Sing, which contains at the present time, about 3,000 volumes, of which, however, not less than 500 are no longer available. The foundation of this library was laid some twenty years ago through private benefactions; and it has been enlarged from time to time from the same source alone, till within a comparatively brief period. For the last four years, the Legislature has made appropriations to this object; first, \$100; next, \$150; then, \$300; and last year, \$400. This amount, but lately received, will add some hundreds of volumes to the present stock. An annual appropriation to increase the libraries of our State prisons may now be regarded as the settled policy of the State.

The following is an approximate statement of the number of volumes in the several departments of the library. Bound volumes of magazines (nearly all donated in separate numbers, and plainly but substantially bound by the convicts themselves), 500; religious books, 500; travels, 500 to 600; history, 300 to 400; biography, 300; tales, 100 to 150; miscellaneous, 600 to 700.

The chaplain acts as librarian, and three convicts are detailed to assist him in this service and in the management of the prisoners' correspondence. About two-thirds of the convicts (at present 550 to 600) make use of the library. The books are returned and others given out every third week. The prisoners come in squads, and each selects a volume (they can take out but one at a time) for himself. Several days are occupied in the process. The prisoners read in their cells, and in the workshops after their daily tasks are finished. In addition to his volume of secular reading, any convict may take out one or two religious books; and these he can return at any time and get others. There are about one hundred who patronize the religious department of the library. A member of the committee noticed, written in pencil marks on the flyleaf of Dr. James W. Alexander's "Consolation," the following comment by a convict, which shows that works of the highest character in this department are not only read but appreciated by these fallen men: "An able and excellent book, worthy of the sincerest and profoundest attention, even of advanced minds, and the maturest Christian, and especially of 'afflicted believers.'"

The books most desired by the convicts are tales and magazines, and the latter more on account of the stories they contain than of their discussions of great questions. Whether this is the most desirable kind of reading for the prisoners, is another question. The committee think not; and, therefore, they are glad that the chaplain excludes novels, as far as possible, from the shelves of the library, admitting (of this category) only the works of standard authors, as Scott, Cooper, Edgeworth, Sherwood, James, Arthur, and a few others. Biography, travels, and history afford the best reading for convicts, and these, next to fiction, are most relished by them.

The committee were sorry to observe that both Bibles and library books were, in many cases, mutilated by the tearing out of leaves. The utmost vigilance should be used to prevent such

mutilation. Would it not be well to provide for the prisoners coarse waste paper for necessary uses?

A great deal of time, almost the whole of every third week is consumed by the chaplain and his convict aids in exchanging library books. Doubtless, a plan might be devised, whereby this exchange could be effected in a single day. Yet, possibly, it might not be wise thus to shorten the time. The coming of 500 or 600 prisoners into the chaplain's office every three weeks, affords him opportunity of becoming personally acquainted with them, and of dropping into their ear, and perchance into their heart, many a wise counsel and timely exhortation. These opportunities, we have reason to think, are gladly embraced and faithfully used. But there is one special advantage connected with this method of distributing the books. Through it the chaplain discovers the convicts who are seriously inclined, by observing which of them take out religious books. It is by this means that members are recruited for the male prayer meeting.

It is an interesting fact that during the year no less than thirty convicts have expended of their own money sums varying from one to eighteen dollars in the purchase of books.

The committee regret to be compelled to report the library of the female prison as in a meagre and dilapidated condition. There are not more than 150 volumes in it all told, and many of them worn and tattered. They think the female prison entitled to a very considerable share of the volumes purchased by the liberal grant of the Legislature at its last session.

The books in the female prison are given out every other Saturday. Each convict comes to the shelves and selects for herself.

b. Lessons by Teachers.

Two gentlemen are employed, under the direction of the chaplain, to give lessons to such of the convicts as need and desire their instruction. The present incumbents are Samuel S. Watson, Esq., a young lawyer of Sing Sing, and Mr. Alex. S. Hall, one of the prison guards. The prison is divided into two equal portions by a passage and stairway in the centre, called the north and south divisions. Mr. Watson has the former, and gives lessons—or did at the time of our examination—to 162 convicts; Mr. Hall has the latter, and gives lessons to 95 convicts. The branches taught are spelling, reading, writing and

arithmetic. A few play a little with grammar, but it is not within the prison curriculum, and books for the purpose of learning it are not furnished by the State. In Mr. Watson's division 111 convicts are provided with arithmetics, 130 with spellers, and 190 with slates. There are in the same division 75 prisoners who desire arithmetics, 57 who desire slates, and 61 who desire spellers, but cannot be supplied with them, because they are not in the institution. It will be seen that a good many more arithmetics and slates are wanted than there are pupils. The explanation is that many who do not take lessons wish to revise and perfect their arithmetical knowledge during their leisure time. The committee think this a laudable desire, and that it ought to be gratified, and that, consequently, a sufficient number of slates and text books should be kept on hand to supply every prisoner desiring the same.

The teachers attend five evenings in the week. They commence their duties soon after the convicts are locked in their cells, and devote an hour and a half to the work of instruction, for which they receive twelve dollars and a half per month. They cannot give, on an average, more than ten lessons a day, so that they will be three weeks or more in going a single round. In this way each convict pupil will get say fifteen lessons of ten minutes each annually, or two and a half hours of instruction during the entire year! Can anything that purports to be real come nearer to sham than that? What progress should we expect our children to make with such an amount of schooling? Yet these prisoners do, many of them, learn to read and write and cipher. A smaller number, however, would accomplish the task if they relied solely upon the teachers provided by law. But what other resources have they? After completing their tasks for the day, by permission of their keepers they occasionally get assistance in their lessons from fellow prisoners of better education than themselves, and in this way make their progress a little less snail-like than it otherwise would be.

If the present system is to be continued, the committee have no hesitation in saying that the number of teachers ought to be very much increased—quadrupled at least. But they have as little hesitation in expressing the opinion that another system would be better. It is that of appointing a teacher who would give his whole time to the work, and whose teachings should be in a school room properly fitted up for the purpose, as in the

Provincial Penitentiary at Kingston, U. C. The system works admirably there, and there can be no reason why it should not do equally well in the prisons of New York.

The department of secular instruction in the female prison is in a better condition than the same department in the male prison, owing to the comparative smallness of the number to be taught. The teacher is Miss Florence A. Foster, daughter of the Rev. Dr. Foster, of the Methodist Episcopal church. She has forty prisoners under her instruction in spelling, reading and writing. A few learn arithmetic. She devotes two hours a day to them, giving to each a short lesson. Most of them take a lively interest in their lessons and learn rapidly, particularly the colored women and the Germans.

c. Industrial Training.

Few of the convicts, comparatively, have learned a trade prior to their arrest and imprisonment. Prison statistics show the same thing everywhere, inasmuch that it has come to be regarded as a well established fact, that want of a trade is among the active causes of crime. Even those who have learned trades are not always, perhaps not generally, put to the same in prison. Hence it becomes necessary, in nearly all cases, to teach convicts the business at which they are put. This is done by contractors' agents and foremen in the several workshops. None, however, or at least very few, can be said, properly, to learn a trade here. There is such division of labor in all the branches of manufacture carried on, that scarcely any prisoner acquires more than a minute fraction of a trade.

Let us illustrate these things. The shoe contract now employs 115 men. Not more than one-fifth of these learned the shoemaking business previously to their imprisonment, and of this fraction a very small proportion had learned it perfectly. From the leather in the hide to the shoes in the boxes, twelve to fifteen processes intervene. Any given man ordinarily learns but one of these processes. For instance, one man learns to cut out the uppers, another to cut and fit the soles, a third to close the uppers, that is, to sew the several parts together, a fourth to bind the same, a fifth to punch holes and fit in eyelets, and so on through the chapter. In what is properly termed the making of the shoe, there are five processes, lasting, nailing, heeling, trimming, and finishing. Five men, called a team, work together at this part of the business, each man being engaged exclusively on one.

of the above processes. Fifty pairs are a day's work for a team. When a raw team is put to the business, the agent or foreman standing by to give the necessary instruction, they will make, perhaps, ten or twelve pairs: possibly, not quite so many. But in two or three weeks, they will have learned each his particular part sufficiently well to accomplish a regular day's task, which, as already stated, is fifty pairs. On this plan, it is evident, a man might be in the prison a dozen years, and learn nothing that would be available in earning an honest living after he came out. Now, it will be universally conceded that, if at all practicable, it is every way desirable, that convicts should be taught trades. The way to lessen crime is to remove its causes. One cause, and a fruitful one, is want. Want commonly arises from the difficulty of getting employment. This difficulty, at certain seasons, is apt to press heavily upon day laborers; seldom upon mechanics, especially good ones. Therefore, to teach a person a trade is, as a general thing, to place him above want. Hence to check crime by reclaiming the criminal, teaching him a trade is all important. While learning a trade the convict would feel that he was doing something for himself, and that his time, even from the stand-point of self-interest, was not wholly thrown away. He would consequently be in better temper, and hence more open to moral motives, more susceptible to softening and purifying influences, and more likely to reform and return to a life of virtue.

Such is the philosophy, and such, in all likelihood, would be, in cases not a few, the salutary effect of imparting to convicts the knowledge and mastery of some handicraft, some mechanical operation. How so desirable an object can be effected, the committee are not prepared to say. They would, however, venture to suggest that, in the shoe shop, for example, the men composing a team be placed successively on the different processes of making a shoe. This is done in the Canada penitentiary, so that every man on a team there learns how to make a shoe, becomes, in the technical sense, a shoemaker.

3. MORAL AGENCIES.

No doubt all the religious influences brought to bear upon the convicts constitute so many moral agencies, of the purest, best, and most effective character. No doubt all the mental training they receive, whether from books or teachers, forms another class of moral influences, less powerful indeed than the other,

but by no means unimportant. But there are other influences, not falling properly in either of these categories, which yet, with great fitness, may be denominated moral agencies, since they must often exert a power, far from trivial, upon the character and destiny of the convict.

a. Interviews of Prisoners with the Warden.

Mr. Hubbell, within a month from the time of entering upon his duties as Agent and Warden, established a rule in this prison, quite unknown elsewhere, as far as the committee are informed, in this country or any other. It is that of setting apart, each day, the hour from three to four o'clock, P. M., for personal interviews with such convicts as may desire conversation with him. At that hour, any prisoner who has any burden, care, grief or anxiety on his mind, is at liberty to approach the chief officer of the institution, for the purpose of confiding to him his trouble and seeking from him such relief as it may be in his power and will to impart. On an average he receives some ten or twelve such visits every day. Members of this committee have set by his side repeatedly during the hour appropriated to these interviews, listening to the multifarious complaints and requests presented, and marking his manner of meeting them, and they have been deeply impressed with the genuine kindness, the warm sympathy, the quiet self-possession, the calm wisdom, and the true christian courtesy displayed by this officer on these occasions. It was easy to see that the men confided implicitly in his judgment, acquiesced cheerfully in his decisions, and looked up to him and revered him as a father. It is scarcely too much to say that that hour, between three and four, governs Sing Sing prison to-day. At any rate, it spreads over the place an atmosphere, soft, mild, purifying and elevating. Nor are burdens and prayers the only things which it brings. Sometimes important information, disclosures vital to the interests of discipline, are brought to the chief by prisoners, who at that time find their way into his presence. Powerful is the hold which the influences emanating from this occasion give him upon the love and fidelity of the Sing Sing convicts, and they are not less beneficent than they are strong.

b. Messages to and from Friends through the Chaplain.

Another agency, kindred in character to the above, and of no little potency for good, in its moral relations, is a system of inter-

communication between prisoners and their friends, through the kind offices of the chaplain. Every third Tuesday, Mr. Luckey goes down to New York expressly to see the families and friends of convicts, to convey messages to them and bring others back in return. He devotes two days to this "work and labor of love," at each trip visiting generally from 20 to 30 families. This is wholly a volunteer service on the part of the worthy chaplain; it is a work of great toil and self-denial, and certainly of a high and genuine philanthropy. How kindly and soothing in its influence in both directions! How much sorrow is hereby alleviated! How much anxiety relieved! How many wants of loved ones at home supplied! For (be it known,) Mr. Luckey is frequently the bearer of money sent by convicts who have earned it by overwork to wives and children, or to aged parents in straitened circumstances. The committee might relate various instances, showing the nature of the friendly offices rendered by the chaplain on his tri-weekly missions of benevolence. They will content themselves with a single one. A convict, apart from the crime of which he was convicted, had stolen from a physician in Jersey City a quantity of boxes of pills. Having been hopefully converted since his imprisonment, he desired to make restitution. Mr. Luckey's system of messages and errands enabled him readily to accomplish his object, and only a few days ago the following receipt was brought to the penitent thief, the money wherewith restitution was made having been earned by overwork.

JERSEY CITY, N. J., Nov. 24, 1863.

"Received of the Rev. J. Luckey, Chaplain of Sing Sing prison, Nov. 24th, 1863, the sum of fifteen dollars and twenty-five cents, for _____, being in full of all demands.

\$15.25.

O. P. B."

This system of messages and errands, inaugurated in obedience to the benevolent impulses of the chaplain's nature, has proved a straight road to the hearts of the prisoners. One of its best effects is seen in the moral power it has given him over these fallen men, and the consequent increased efficiency and fruitfulness of his spiritual labors amongst them.

c. Correspondence of Convicts.

The correspondence of the convicts is conducted under the supervision of the chaplain. It is the duty of this officer to read all their letters, as well those received as those written by them.

Three assistants, as already mentioned, from among the better educated of the convicts, are allowed to the chaplain. Convicts who cannot write, dictate their letters to one of these aids; those who can write, must write them on slates, from which they are copied. The correspondence of convicts is subject to the following restrictions: 1. Inspection by the chaplain, as stated above. 2. No convict can write oftener than once in three months, except upon special leave by the Inspectors or warden. 3. The subject of pardon cannot be mentioned, but by permission either of the Board of Inspectors, or of the Inspector in charge. 4. Letters on business must be approved by the Inspectors or warden. 5. Nothing contraband (*i. e.*, contrary to the rules of the prison) must be asked for in any letter, and no visit requested, unless the writer is entitled to the same, or has special permission to make such request. 6. Every letter must be signed with the name of the writer (*i. e.*, the name under which he was committed), and have the full address of the person to whom it is directed. 7. Letters coming in, if proper, are delivered immediately; if they contain matter which is contraband, they are withheld; but the parts not contraband are read to the persons for whom they are designed. 8. After a letter has been read by the convict, it must be returned to the chaplain, by whom it is placed on file for future reference or use.

The number of letters written by convicts from the 1st of October, 1862, to the 1st of October, 1863, amount, as shown by a register of the same kept in the chaplain's office, to 2,069, or an average of nearly seven a day for all the week days of the year. As the number of letters received by the convicts, is considerably greater than the number written by them, the chaplain will have, on an average, from fifteen to eighteen letters to read daily. Of course, so many convicts he will come into daily personal contact with; and that, under circumstances in which, as will readily occur to every reflecting mind, a word fitly spoken will often have an effect tenfold greater than at ordinary times. Mr. Luckey seems to comprehend the value of the opportunities thus afforded for producing or deepening salutary impressions; and he frequently avails himself of these occasions to impart a brief counsel, remonstrance, admonition, or exhortation, suited to the case in hand. Much good is accomplished in this way.

The correspondence of the female prison is under the same supervision and subject to the same limitations as that of the male prison.

d. Visits of Friends.

Convicts are permitted to receive visits from their friends once in three months; one member or any number of members of the family are admitted on these occasions. Visits are permitted more frequently than this, if property interests or other business matters seem to require it. But all interviews of prisoners with outsiders must take place in the presence of an officer, and must close within a half hour. The visits to convicts during the past year have amounted to 1,030. The present accommodations for these interviews are exceedingly limited, and, in other respects, open to serious objection. The only place for them is the ante-room of the prison, through which all comers and goers are obliged to pass, and in which there is commonly a miscellaneous crowd of officers and general visitors, not remaining long, but sweeping through, and yielding their places to others. Then the room which serves as an office for the warden and clerk is immediately adjacent, and between the two, both a door and large window stand continually open. All the general business of the prison is transacted in these two apartments, and the convicts, while receiving the visits of their friends, can and do overhear much that ought never to come to their ears; and, on the other hand, the crowd in the room is often a cruel restraint on the brief half hour's interview, which is all that outside friends can enjoy with convict friends for the space of three entire months.

e. General Visitors.

This prison, like the other two of its class in this State, is open to the visits of the general public. The residents of Sing Sing, and persons introduced by them, and the friends of officers and employées, are entitled by law to visit the prison without charge; all others, as a general thing, are required to pay a fee of twenty-five cents. Of the former class, there have visited the prison, within a year past, 1,200 persons; of the latter, 816, yielding a revenue of \$204. This paltry sum is of no account, and the committee feel that it is derogatory to the dignity of the State to play the part of showman for a price, and especially so low a price as this. If the public is admitted at all, let it be admitted freely, as to all other great manufacturing establishments throughout the country. But the committee is opposed to the admission of the general public as visitors to the prison at all; and that for several reasons: 1. These visits are, in the main, prompted by

mere curiosity, and have no practical end in view; and so far as the non-paying visitors are concerned, they are generally of the less intelligent class of the community. 2. Much time of the guards is consumed in showing visitors through the prison, as there are commonly several parties to be waited on in this way every day. 3. Those who visit the prison do so for the purpose of seeing the prisoners, and not the manufacturing operations carried on in it. The committee deem it a degradation to the prisoners that they should be exhibited for the mere gratification of curiosity; and, though some may glory in their shame, yet the better class of convicts feel it to be a degradation. 4. There is another reason for excluding general visitors, particularly women, who constitute more than a moiety of the whole number,—a reason connected with the moral interests of the inmates,—which will be noticed in a subsequent part of this report.

Upon the whole, the *morale* and discipline of the prison are, in the opinion of the committee, injuriously affected by the admission, indiscriminately, of general visitors. The morbid curiosity which induces men and women to indulge in the sight of human degradation and misery, and enables them to find gratification in it, can scarcely fail to exercise a baneful influence both on the visitors and the visited. It must harden the former against the mild and beneficent influences implanted in the soul of every human being towards fellow-mortals, even though they may have erred and fallen. It must harden the latter against the sense of personal degradation consequent upon being exposed to the view of strangers for money. The feeling of shame in convicts, from being daily stared at, like rare or ferocious animals, for a series of years, must, by degrees, be obliterated, or at least greatly blunted.

For these reasons the committee think that the system of indiscriminate visitation should be abolished, and that none should be admitted within the prison walls, except upon special business, and on leave granted by the inspectors, the warden, or, in their absence, the principal keeper.

f. Cell Occupation.

No labor is performed in the cells. Reading, lesson-learning, and such solitary pastimes as the genius of each convict may invent, or his taste dictate, are all the occupations they have while locked in their cells during the intervals of work. In the summer months, when they have daylight for these employments,

they get along pretty well, though even then (so badly is the prison constructed for the admission of light) it is not easy to read in a cloudy day. But in the winter, when the convicts are locked in their cells from thirteen to fourteen hours, the gas-lights are so "few and far between," that not one in five can see to read a syllable during that long and dreary period. The only time, therefore, in which the convicts can learn their lessons or read their library books,—except such snatches as may be redeemed from work in the shops,—is the Sabbath day. The committee deem this long condemnation to darkness both wrong in principle and hurtful in its effects. They think it no more than right,—and certainly it would be good policy,—that the prisoner should have at least two hours of light each evening, sufficient to enable him to read or study without too great a strain upon his eyes. This, indeed, is the case in the female prison; and the committee can neither see nor imagine any reason why such an indulgence (if it be an indulgence) should be extended to the women and withheld from the men, especially when the men earn for the State so much, more, proportionally as well as absolutely, than the women.

g. Example of Prison Officials.

The example of the prison *employees*, in respect of its moral influence on the prisoners, is a subject of some delicacy as well as of much importance. The opinion has been quite common, and perhaps is still, that anybody almost would do for a prison keeper. This committee hold, on the contrary, that few positions require more penetration, judgment, tact, prompt decision, firmness and knowledge of the human heart, combined with gentleness and benevolence, than that of a prison officer, and none demands a more incorruptible integrity. The fact that selections to fill these offices are made chiefly on political grounds, rather than on those of natural fitness or previous training, is by no means favorable to the securing of the best incumbents. There is another consideration which operates in the same direction, with greater force at Sing Sing than at either of the other State prisons, and especially that in Clinton county. We refer to the increased difficulty, arising from the greater cost of living here, of getting suitable men to serve for the salary paid—only \$50 per month. This point will be placed in a very clear light by the mention of a single fact. Within the last half year from six to twelve persons appointed as keepers, after coming on the

ground and making the inquiries which prudence would dictate, have declined the appointment on this ground. The influences above referred to—politics and insufficient remuneration—have had their effect in lowering the standard of character in the staff of prison officers. While there is a number of gentlemen both among the keepers and the guards who possess qualifications of a high order, and are at once an ornament and a blessing to the institution, there are others quite the reverse of this, whose example and influence have no tendency to reform or in any way to benefit the convicts, but the contrary. In proof of this we may state that, of seven officers suspended during the year, one was suspended for stealing, two for getting drunk, one for trading with convicts, one for using obscene language, and one for showing strong symptoms of insanity.

There is another class of persons who may fitly be noticed in this connection, a class not holding any official relation to the prison but introduced into it by the contract system, men who can and do exert much influence either for good or evil upon the prisoners—we mean the agents and foremen employed by the contractors in the several workshops. Of this class of persons the same remark will hold as of the prison staff, viz., that while some of them are all that could be desired in respect to moral character and gentlemanly bearing, others are far from coming up to any such standard, and their influence is demoralizing and pernicious; in some instances extremely so.

C. PHYSICAL AND HYGIENIC RELATIONS.

1. GENERAL CONDITIONS OF AIR, &c.

a. Ventilation.

On entering the prison edifice the olfactories are saluted with an odor characteristic of animal secretions, damp walls, pent up dormitories and musty clothing combined. Notwithstanding this; the appearance of the entire building is that of thorough cleanliness and the best of care and attention. Whence, then this disagreeable odor which pervades the building, giving it at times a resemblance to the atmosphere of a cemetery vault? There is but one answer to this question, the want of an adequate system of ventilation. For years this huge edifice has been the recipient of 800 to 1,200 human beings every night of every day in the week, and the whole of every Sabbath in addition. The air allowed for respiration is necessarily contamin-

ated with the effete bodily secretions of the previous night, and this may be said of every night of the week, the month, the year, in fact, of the whole series of years since the immense structure was erected. It was built at a time when the philosophy and physiology of the atmospheric relations of the animal functions were little understood and still less appreciated, and so substantially was it built as to prevent the escape not only of the bodies but even of the breaths of the inmates.

These evils, so far from being ameliorated, are aggravated by the plan adopted at a recent date for warming the edifice. To a partial extent they might have been, and possibly may yet be, obviated by forcing in a current of air, cool in summer and warmed in winter; but the system of direct radiation from steam pipes which traverse the corridors affords nothing but dry heat, without any change of air, except what results from its alternate rarification and condensation.

All the windows of the prison are kept open night and day during about eight months of the year, but are tightly corked with cotton the remaining four months. The committee are of the opinion that such an almost total exclusion of the outside air is prejudicial to health, and therefore unwise and improper. The windows should be open a portion of each day, even in winter.

Each prison cell is provided with a ventilating flue. We tried many of these flues with a lighted match, and in most cases the flame was drawn in slightly, while in some there appeared to be no draft at all. Besides this, there is an aperture about six inches wide in the ceiling of each hall, running the whole length of the building, and commanded by a wooden valve. This affords an opportunity for some change in the internal atmosphere, but from actual experiment, the current here was found to be very slight, scarcely indeed perceptible. Upon the whole, the view taken by the committee is that all the appliances for ventilation are inadequate to the full needs of the institution, but that, nevertheless, they have a very considerable influence in purifying the air and making it fit for human respiration.

As to ventilation, except by the windows, the female prison is worse off than the male. In the latter, small openings in the rear walls of the cells, communicating through narrow shafts with the attic, give, as already noticed, a very trifling current of air; but in the female prison even this is cut off. Perpendicular tubes,

connecting the cells with the attics, exist in the walls, but the openings in the cells have in almost every instance been closed, by pasting paper or something stronger over them. On examination, the fact was developed that the attic ends of the tubes were also closed as well as the attic itself, except the cracks in the roof and one very small opening. With the exception of these, and the windows and doors, therefore, this building may be said to be air tight. It is proper to add that Mrs. Hubbard, the matron, seemed fully alive to the value of pure air, and by means of open windows, when the temperature of the atmosphere permitted, endeavored to maintain a healthful condition of the prison; but this must be difficult, if not impossible, in very cold or stormy weather. Then the chief reliance for changing the air must be the stoves by which the apartments are warmed, a means quite inadequate to the end to be accomplished. The workshops in which the female convicts pass most of the hours of the day are spacious and light, and not being overcrowded, have an atmosphere less objectionable.

b. Heating.

The male prison is heated by steam, which is conducted from two boilers in the kitchen by 4,000 feet of pipe. The heat is put on usually at 3 P. M., but in very cold weather is kept on all the time. The prison can be brought to a comfortable degree of warmth in about two hours. It is kept at a temperature of from 65 to 70 degrees Fahrenheit.

The female prison is heated by two large coal stoves in the halls, and is made comfortable in all weathers.

c. Lighting.

Both prisons are lighted by gas—the female sufficiently to enable all the convicts to read, the male scarcely enough to enable one in five to read at all. There are but about thirty-two burners in the male prison, and they are some ten feet distant from the cells. The committee reiterate the opinion that this is all wrong. They hold that these men are entitled to at least two hours of light to read and study by in the long winter evenings; and, more than this, that the best interest of the State demands it. Light to this extent has a close, perchance a vital, relation to the reformation of many of these convicts. So long confinement in darkness is injurious alike to the physical, mental, and moral interests of the convict, and is, consequently, as much opposed to a wise as it is to a humane policy. It weakens the intel-

lect, induces mental indolence, blunts the moral sensibilities, excites the passions, quickens and feeds a licentious imagination—and, in a word, tends to debase and brutify the man. At a former period in the history of the institution, abundant light was afforded to the prisoners, so that all could see to read. To refuse it now seems to be making progress backward. We recommend to the prison authorities a speedy retracing of their steps in this regard.*

2. THE DIETARY.

a. The Manner of Procuring Supplies.

In former times, the prison rations were furnished by contracts running through an entire year. These contracts, as a matter of course, were given to the lowest bidder, who, equally as a matter of course, furnished the cheapest article which the terms of the contract would permit, sometimes even stretching those terms beyond all fair and reasonable limits. The rations are now all purchased by the agent in open market, and may be varied to any extent required by the health of the inmates and the discipline and well-being of the prison; whereas, under the system of supplies by contract, the rations were fixed by an inflexible rule, which was in force for a whole year. The present system is every way preferable to the old one, inasmuch as it gives a ration at once more promotive of health and more agreeable to the taste of the convicts, and, prices of provisions remaining the same, does not involve any greater expense to the State.

b. Daily Bill of Fare.

The food supplied at Sing Sing appears well adapted to the sustenance and health of the prisoners, as regards quantity, quality, and variety. Evidence of this is seen in the few inmates of the hospital, and in the very moderate mortality among the convicts, especially from diseases other than those contracted before admission.

Breakfast is uniform throughout the week, and consists of a hash made of beef and potatoes, bread, and coffee. Supper is also uniform, consisting of either mush and molasses or bread and molasses, at the option of the prisoner. The dinner rations vary from day to day. *Monday*: Corned beef, and beans or peas, usually made into soup. *Tuesday*: Corned beef and boiled pota-

*The committee is happy to learn, since the date of this report, that the recommendation here made has been acted upon by the authorities of the prison, and the prisoners are now all able to read in their cells for two hours after being locked in at night.

toes, with vinegar generally. *Wednesday*: Fresh beef boiled, and soup made of the liquor, in which are boiled turnips, carrots, onions, rice, and a little flour, making, when properly seasoned, a savory and palatable dish. Occasionally, instead of soup, a stew is given, consisting of pork, fresh beef, potatoes, and onions, which is much relished by the men. *Thursday*: Corned beef boiled and cabbage (300 to 350 heads) or beets, with vinegar, salt, and pepper. In fact, each man has a box of salt and pepper on the table every day, so that he can season his food to his own liking. *Friday*: Salt fish (soaked over night), with boiled potatoes. Corn bread is often given on Friday, and sometimes bread warm from the oven. *Saturday*: Same as Wednesday. Always bread *ad libitum*, made fresh every day of the common grades of wheat flour and corn meal combined. *Sunday*: Pork and potatoes boiled, occasionally pickles, and white bread made of a better quality of flour. A little better food is intended to be given on Sunday than on week days. There is never any stint as it regards any of the food provided, but the men are supplied with whatever they call for till they are satisfied. They have, for the most part, an excellent appetite, and eat a full ration.

There are three days in the year, viz., the Fourth of July, Thanksgiving, and New Year's, when the convicts are provided with an extra ration of stewed clams or oysters, together with cake, cheese, and apples.*

* How the first day of 1864 was observed at Sing Sing, will be seen from the following article, taken from one of the village papers:

NEW YEAR'S DAY AT SING SING PRISON.

At the close of the services in the prison chapel on the Sabbath immediately preceding the advent of the new year, the Hon. G. B. Hubbell, agent and warden of the prison, arose and announced that it was his design to grant the convicts special privileges on New Year's day.

Eight hundred eyes were agape with wonder, "expectation was on tip-toe," silence reigned supreme, while Mr. Hubbell announced his programme. "In the morning, for breakfast, each man will be supplied with a good cup of coffee, white bread, and an abundance of good butter. On going to your rooms for the day, in addition to the ordinary fare, each man will have fresh white bread, a mince pie, and cheese. This provision will be furnished by the contractors, and the State. Besides, from 12 o'clock until 5 o'clock, you may have the privilege of enjoying yourselves in your own way, without let or hindrance. This much we do on our part. On your part, we shall expect the utmost decorum until 12 o'clock, and again at 5 o'clock."

It need not be stated that these announcements afforded supreme satisfaction, and that such kindness was fully appreciated, it is but necessary to say that the injunction to quietude was sedulously regarded.

A disposition to improve every moment of the precious five hours was plainly manifest, for the very moment the bell struck, at 12 o'clock, every tongue was atoned, every throat was opened, and various instruments of strange device, home made tamborines, triangles,

c. Moral Effect of good and abundant Rations.

Not only is the excellent dietary of this prison advantageous to the health of the convicts, but its moral influence is also good. This influence is seen in the improved temper of the prisoners, in the greater cheerfulness with which they work, in the increased amount of work done, and in the diminution of severe punishments. Nor is the relief to be overlooked, which is hereby secured to prison officers, from annoying complaints of "bad food." Formerly, such complaints were loud and reiterated; and even open outbreak has occurred as a consequence of the rations supplied to the prisoners.

d. The Force employed and material Appliances in this Department.

There are 27 men employed in the cooking and feeding department of the prison. These are assigned to work as follows: Engineers, 2; cooks, 4; bakers, 5; waiters, 11; dishwashers, 4; storehouse, 2.

The prison bakery is 24 by 34 feet, and is found sufficiently large for the uses to which it is put. The oven is enormous, being 18 feet in depth and 12 feet in width. It is capable of baking the bread made from six barrels of flour and 200 lbs. of corn meal. The kitchen is a room about 30 feet square, in which are placed four steam boilers, two furnace kettles, and all other needful appliances, for culinary purposes. Mush is made here in furnace kettles over a wood fire. It is thought better made in this way, than when made by steam. The wash room is 24 by 34 feet, and is used for washing dishes, tubs, pails, &c., &c. The dining or mess room is 135 feet in length and 60 feet

barjos, and withal, a simple piece of pasteboard in the mouth of an old German, chimed in most dolorously with those who sought to sing patriotic and other chaste songs, making a discord most dismal—it was a scene we shall never forget.

Vigorous, long continued, and rapturous cheering for Mr. Hubbell, ruled the hour. His every appearance was a signal for a new outburst of pent up enthusiasm.

When the inevitable five o'clock came, and "the clock tolled the hour for retiring" from these excitements, the noise was at once unearthly—the scene fairly beggars description—the jargon was at once harmonious and perfect. It would appear as if each man, summoning his remaining energy for this closing moment, determined on a grand finale, and they had it to their heart's content. In a very few moments the utmost order prevailed.

"Man's inhumanity to man has made countless thousands mourn," and its opposite has sent a thrill of joy through the hearts of the hundreds here incarcerated. Never has there been such a degree of satisfaction to all connected with Sing Sing prison, agent, keepers, convicts, visitors, all, as on January 1st, 1864.

That the public may know something of the extra amount of food consumed, we append the following items: 200 lbs. of butter, 400 lbs. cheese, 40 lbs. coffee, 60 quarts milk, and 1,050 mince pies, which in the aggregate cost \$260.

Who, knowing the results, will say that this was an unwise expenditure?

DELTA.

in width. It has 38 tables, which, when the prison was full three years ago, seated 1,196 men. But they were crowded too closely together. This room needs enlargement.

The dietary of the women's prison corresponds in the main to that of the men's; but the women are allowed a ration of tea instead of bread coffee on Sunday morning. The kitchen of the female prison is wretchedly out of proportion to the amount and variety of labor to be performed in it, and the number of operatives employed upon the same.

3. CLOTHING.

a. Clothes Worn by Convicts in Prison.

The obvious conditions to be met in the clothing supplied to convicts while in prison are the comfort and health of the wearers. Their clothing, though plain and coarse, should be such as to prevent suffering either from the rigorous cold of winter or the oppressive heats of summer; and in these respects, the general health of the prisoners should be at all times carefully regarded.

The standard suit at Sing Sing is a stout ticking shirt, pants, vest, or roundabout of thick white cloth striped with black, and a cap of the same, together with a pair of woolen socks, in cold weather, and stout leather shoes. This outfit is varied according to the exigencies of the work or the health of the convict. For instance, some men are allowed under shirts and drawers, made of the same material as the external suit, without being fully filled, many have ordinary shirts of this material instead of the cotten ticking; those who work in the quarries and at other out-door labor, have boots in place of shoes in the winter, and are provided with an outer garment in addition to the regular suit, some with swelled, sore, or tender feet, are furnished with cloth instead of leather shoes, and so on, indefinitely. Upon the whole, the conditions of comfort and health in the convicts clothing at Sing Sing appear to be pretty fully met.

The dress of the female convicts consists, besides the under garment, of a jacket, two skirts (one quilted and one flannel), a cotten frock with blue and white stripes, cotton stockings and leather shoes. Each convict has two outfits of this kind, with the exception of the quilted skirt and the shoes. Convicts, whose work exposes them to the weather, are provided, in winter, with drawers in addition to the above.

b. Clothes Furnished to Convicts on their discharge.

Each male convict on his discharge, is furnished with a good substantial suit of citizen's clothes, for which he is measured some weeks prior to the time of his release. The suit consists of a broadcloth frock coat, cassimere pants, figured vest, hosiery, undershirt and drawers, cotton shirt with box bosom, necktie, cotton socks, shoes of grained leather lined and bound, and felt hat. The money value of this outfit at present prices, is \$20 to \$25. It gives the discharged convict, as far as dress is concerned, the appearance of a gentleman. A second shirt should be added.

Each female convict on her discharge, is furnished with the following outfit: Two dresses, (one calico and one delaine), two skirts one quilted and one white, two pairs of drawers, four chemises, two pair cotton hose, one pair calfskin shoes, one pocket handkerchief, a straw hat trimmed with good ribbon, and a shawl, suited to the season of the year when she is discharged. The cost of such a wardrobe at the present time, is fully equal to that of the male convict's outfit.

4. BEDDING.

a. Bedsteads.

The bedsteads, or rather, to speak more accurately, the bedboards, at Sing Sing, are simple wooden frames, made to turn up against the side wall of the cells, which is required to be done every morning when the occupants rise. In summer, the fissures, cracks and holes in these rude, and antiquated bedframes, swarm with bed bugs and other vermin, which are very annoying to the men in their attempts at rest after the toil of the day. The committee recommend a clean sweep of all this wretched trash from within the prison walls at the earliest possible moment, and the introduction of iron bedsteads to fill the vacuum thus created. Iron bedsteads are now used in most first class institutions of this kind, both in our own and other countries, and their superiority, in respect of cleanliness and comfort, has been abundantly attested by long trial. There can be no reason, other than an ill-advised economy, why the largest prison in America, which ought to be, in all respects, a model to the world, should be supplied with an article of bedstead of a pattern and structure, so primitive, rude, and comfortless, that they would be a disgrace (almost) to any county jail. The com-

mittee do not advocate iron bedsteads, however, under the idea that they would of themselves be a perfect defence against vermin. Bugs must be fought with weapons suited to the conflict. Probably the most effective is corrosive sublimate.

b. Beds.

The beds and pillows are of straw. Rye or oat straw is preferred, when it can be had; otherwise wheat straw is used, which, however, is quite rare. The straw is changed, ordinarily, once a year; sometimes, when necessary, oftener; possibly, in some rare cases, not so often. The committee made thorough investigation into this matter, examining scores of mattresses, and that in different galleries, from the lowest to the highest; and they found them everywhere, with possibly here and there an exception, in a satisfactory condition. Very many of the pillows in the female prison are of raw cotton, taken from old comfortables.

c. Bedclothes.

The bedclothes of the male convicts consist of two blankets in summer, and of three blankets and a comfort in winter, and more, if in any case they are called for, which very seldom happens. No sheets or pillow-cases are provided. These articles should be supplied to the convicts on considerations of cleanliness, of health, and even of economy. Sheets, but not pillow-cases, are provided for the female convicts. These have an old comfort on the straw mattress, and in winter, two for a covering.

5. CLEANLINESS.

a. Supply of Water.

The supply of good pure water, is abundant, being drawn from the Croton aqueduct, as it passes to supply the city of New York. There is a hydrant in every story of the prison, and a number of others are scattered over the yards convenient to the workshops. The female prison is equally well provided in this respect.

b. Daily Ablutions.

The convicts wash their hands and faces three times daily, for which operation soap is provided. They wash before breakfast in their cells, and before dinner and supper, in the workshops. The arrangement in regard to females is substantially the same. Each male convict is provided with a coarse comb, and each female convict with both a coarse and fine comb.

c. Bathing of the whole Person.

The male prison has been provided by the present warden with a plunge bath, sufficiently large for fifty or sixty men to bathe at once. The water in the tank may be warmed by steam. Here each prisoner is required, except in severe weather, to bathe the whole person at regular times, which is once every eight or ten days, according to the number in prison. The men, as may be supposed, enjoy this operation with a keen relish. The arrangement cannot be too highly commended. Mr. Hubbell deserves much credit for introducing this reform.

Not a solitary bath tub is provided for the use of the women. The only means they have of washing the whole person is by taking buckets of water into their cells. They are permitted to do this, and often avail themselves of the privilege. It is to be hoped that some better arrangement for the purpose will soon be introduced into the female prison.

d. Use of the Flesh Brush.

The flesh brush, that most important aid to cleanliness and health, has never been introduced into either the male or female department of the prison. This is much to be regretted. Long and varied experience, in different climates, has proved that few things contribute so much to general health as a free use of the brush, in combination with a liberal supply of water and soap; the former to be used, if soap cannot be had, or even if both water and soap fail. Men of knowledge and experience in these things have advised this everywhere to soldiers in the present war. Nothing refreshes so much after a day's dirty labor or march as hard brushing. Even if nothing can be brushed but the face, that alone will refresh in a degree. Cool water produces the feeling of *refreshment*; but water, of moderate temperature, with *soap* and the *brush*, really *restores*. The committee would suggest at least an experiment with the flesh brush. In this connexion it is proper to say that none but the roughest towels ought ever to be used. This applies to women as well as men, and to all classes.

e. The Washing of Convicts' Clothes.

The shirts of the male convicts are changed and washed once a week; the undershirts, drawers, and particularly the outer garments, less frequently. Many of the convicts,—those, for

example, in the auger, file and buckle shops,—are employed on work which soils clothes very quickly, and, as a matter of course, these soiled garments impart their impurities to the body. The prison authorities seem awake to the importance of cleanliness in every department of the prison; but, in looking at the clothes, and especially the pantaloons of the men, in some of the shops, the committee could not resist the impression that a more frequent contact of the said garments with the soap and brushes of the washtub would be every way desirable.

The underclothes of the female prisoners are washed weekly at all seasons, and their dresses the same, except in winter, when they are washed once in two weeks.

f. The Washing of Convicts' Bedclothes.

The blankets of the male convicts are washed regularly once a year—sometimes more frequently; the quilts of the female convicts twice a year; one sheet every week. One washing a year would perhaps be sufficient for the blankets, if they did not come in contact with the person of the sleeper. The convicts having, as a general thing, no second shirt, are obliged to sleep in those in which they have been working through the day. These are necessarily permeated with perspiration and dust, a portion of which, as a matter of course, is transferred to the bedding. The filth thus imparted to the blankets, as well as that received directly from the person, makes a more frequent cleansing of the same absolutely necessary to health and comfort, not to say decency. It is on this account, mainly, that the committee have already recommended the use of sheets, as they are far more readily cleansed than blankets. We observed that the ticking of some of the beds, and many of the pillows, was very filthy. Not a few of the latter were almost black. This re-enforces their recommendation in regard to pillow cases.

g. Airing of Beds and Bedding.

In the female prison both beds and bedding are taken out into the prison yard every two or three weeks, and receive a thorough airing in the sun for several hours. Those in the male prison are taken out the first of each month, when the cells are white-washed, and hung for two or three hours on the railings of the prison galleries. This is all the airing beds and bedclothes receive here, though such airing is doubly necessary in this

prison, because of the fact that they are gathered up between the wall and the bedstead at all times, when not in use for sleeping, whereby all escape of the animal secretions absorbed by them is rendered impossible.

h. Cleansing of the Halls and Cells.

The cleansing of halls and cells in both prisons is carefully and thoroughly done. In the female prison, the general aspect as to cleanliness, light, neatness, and order, is all that could be desired. It would be next to impossible to find a speck of dirt on the floors of either halls or cells, or a dark spot on the walls. In the male prison, the white-wash brush exercises its purifying and healthful influences frequently and thoroughly—the whole building being white-washed twice annually, and the cells the first of every month. The floors and stairs, throughout, are swept daily, and mopped twice a week. These frequent sweepings, scrubbing, and white-washings keep floors and walls free from all visible contaminations, and the committee record with pleasure that they find nothing whereof to make complaint in this department.

i. Shaving and Hair-Cutting.

The men are shaved weekly. For this purpose convict barbers are continually passing from shop to shop. The fancy of each is allowed to regulate the length of his hair.

j. Provision for meeting the Calls of Nature.

There are abundance of privies scattered over the prison premises for the use of the convicts during the day. These are kept clean and in good order. Night tubs are used in the cells, and carried out and cleansed daily.

6. INSANITY.

In the judgment of those familiar with the mental characters of the inmates, there are many who, on account of mental disorder, should not have been sent here; but the portion of this class cannot be given. The instance is related of one man having been twice committed to this prison, and both times being transferred to the Lunatic Asylum for insane convicts. Four have been sent thither during the year ending October 1, and one since that date. Of one man it is asserted that he was an idiot on admission, had been in an asylum, and is fit for one now. On this important subject there is much to be said in relation to

the want of care on the part of courts in scrutinizing the mental condition of persons on trial for criminal offences; and it is alleged that the law requiring insane convicts to be retained in the Lunatic Asylum after the expiration of sentence, if they continue in that state, operates as a bar in some cases to sending them there. Curable cases, only, it is stated, should be transferred thither on that account.

8. DISEASES.

a. Diseases most prevalent.

The diseases which most prevail in this prison are pulmonary consumption, syphilis, and rheumatic affections. Syphilis, in some form, is believed to exist in at least 60 per cent. of all who enter, while, of the sick, diseases of the respiratory organs afflict nine out of every ten.

b. How far contracted before, and how far after Imprisonment.

All the convicts affected with syphilis, as a matter of course, and nearly all suffering from pulmonary complaints, contracted those diseases before entering the prison.

9. THE HOSPITAL.

a. Hospital Accommodations.

The hospital accommodations at Sing Sing are far from being either as extensive or as well appointed as so vast an institution requires for the comfort and restoration of its patients. The entire accommodations are comprehended in a space of 78 feet by 60 feet. This space is divided into four apartments, viz., one large ward, a dispensary, a very small office for the physician, and a kitchen scarcely one-fourth the size it ought to be, considering the amount and variety of work to be done in it. One end of the one hospital ward is used as a dining room for such of the patients as are able to eat at a common table, and in the remaining portion are contained all the beds for the sick of all classes. Here, in the same room and at the same time, it may happen that one patient will be in the agonies of death, another will be undergoing some surgical operation, others will be vainly striving to court a little slumber amid their groans and outcries. Besides the inconveniences resulting from the diminutive size of the kitchen, the draft of its chimney is so imperfect, that sometimes, even in the bitterest winter mornings, the windows of the

hospital have to be thrown open to permit the escape of the stifling smoke issuing from the kitchen fire, when it is first kindled. It is easy to imagine the effect of such a proceeding upon the fever-sick, the consumptive, &c. An enlargement of the hospital, and a re-arrangement of its accommodations are much needed, and the requisite changes should be made with as little delay as possible.

b. The Hospital Staff.

The hospital staff consists of a physician, Dr. Peter Pryne; a hospital keeper and apothecary, Mr. Alonzo Burrhus; a dispensary man and assistant; a cook; a nurse; and a waiter; all but the first two being convicts. Loud complaints were made by many convicts against the man in charge of the dispensary, who, under a prison guard, has the sole charge of the hospital at night. They represent him as harsh, imperious and overbearing towards the patients, and as not only accepting but exacting gratuities for services rendered. Too much seems to be confided to this man, since he alone prescribes for the sick in emergencies occurring at night, in the absence of the physician. We would suggest whether such an important office ought not to be filled by a competent citizen.

c. Cases treated during the past Year, with their Results.

There were admitted into the hospital during the year ending September 30, 1863, one hundred and ninety-three patients, of whom one hundred and seventy were discharged cured, seventeen died and six remained in the hospital at the above date. Of the 17 deaths, there occurred from consumption, 9; from typhoid fever, 2; from a burn occasioned by kerosene oil, 1; from fracture of the spine in a quarry, 1; paralysis, 1; from periostitis of thigh and leg, 1; from valvular disease of the heart, 1; and from marasmus, 1. For minor complaints, outside of the hospital 19,883 applications were made for the doctor's aid. Of these, 3,945 were found to need no treatment. The rest were excused from labor to the extent, in the aggregate, of 2,045½ days.

d. Drugs and Medicines.

The dispensary contains a full assortment of drugs and medicines which, on examination, were found to be of good quality. The attention bestowed upon the sick, with a view to their recovery, is indicated by the light mortality of the past year.

c. Surgical Instruments.

The State owns no surgical instruments, or if any, very few. A good assortment for all ordinary surgical necessities is possessed by the medical attendant, Dr. Pryne. It seems to the committee that a full set of these necessary implements should be provided at the public expense.

10. SELF-ABUSE.

a. To what Extent this Vice is Practised.

Self-abuse is practised in this as in other prisons to a most lamentable degree. Convicts who do not indulge in it are but exceptional case; the majority give it a loose rein.

b. Causes of its Prevalence in Prisons.

The question why so unnatural, degrading and ruinous a vice prevails so extensively in this and other prisons, forms an interesting subject of inquiry. The committee offer the following, as in part at least, according to the best judgment they can form, a solution of the question. 1. Former dissolute habits and the polluted imagination consequent upon such habits are no doubt an active cause of this vice. 2. Feebleness of will is another cause, as indeed, it is of crime in general. 3. Ignorance of the enormity of the vice, as well as of its destructive tendency, is a third cause. Such ignorance often leads to this practice on the part of persons much better instructed than most convicts are. There is abundant evidence to the fact that many convicts not only do not know how immoral the practice is, and how hurtful to both mind and body, but that they honestly believe that a moderate indulgence in it is necessary to health. 4. The enforced idleness of at least four-fifths of the convicts during the long winter evenings, (light for reading being denied them,) is undoubtedly an additional stimulus to this vice. It is during these idle hours that a polluted imagination fans and feeds the flame of impure desire; and convicts being for the most part, as already stated, devoid of an energetic will, readily yield to the impulse of a base and hurtful passion to secure a momentary gratification. 5. There is evidence which satisfies the committee that an unhealthy stimulus in this direction is caused by the presence of female visitors, groups of whom almost daily pass through the workshops on their tours of observation.

c. How can this Vice be cured.

The cure of this terrible and destructive vice in prisons, as well as elsewhere, is a problem encompassed with difficulty. The committee think it utterly impossible to devise any physical means for the checking of this evil, which so widely and lamentably prevails in all prison populations, and which seems to have taken hold of many of its victims to an incredible degree. Even the moral means would puzzle, and have puzzled, many an earnest and able inquirer. Yet the committee are convinced that moral agencies alone can have any efficacy here. Probably the most effective agency of this sort would be a plain and vivid exhibition of the terrible consequences of this vice, both as it respects the body and the soul. The present warden at Sing Sing has, in several cases, made use of this agency with very cheering results. He has treated these cases, not in a harsh and denunciatory manner, branding as brutes convicts addicted to this vice, but kindly, tenderly, patiently, discreetly, and, as the event has proved, with an encouraging success. It might be well, perhaps, to issue a brief tract on this subject, designed for the special use and benefit of convicts. At least, the admirable remarks of the Rev. Dr. Adam Clark, in commenting on the sin of Ouan, might be printed on a card, and distributed with good effect among this class of persons.*

* The following is the passage to which reference is here made as embodying the important statements and counsels of the learned commentator: "The sin of *self-pollution* is one of the most destructive evils ever practised by fallen men. It excites the powers of nature to undue action, and produces violent exertions, which necessarily and speedily exhaust the vital principle and energy. Hence the muscles become flaccid and feeble, the tone and natural action of the nerves relaxed and impeded, the understanding confused, the memory oblivious, the judgment perverted, the will indeterminate and wholly without energy to resist. The eyes appear languishing and without expression, and the countenance vacant. The appetite ceases, for the stomach is incapable of performing its proper office. Nutrition fails. Tremors, fears, and terrors are generated. Thus the wretched victim drags out a miserable existence, till, superannuated even before he has had time to arrive at man's estate, his worthless body tumbles into the grave, and his soul (guilty of self-murder) is hurried into the awful presence of his judge! Reader, this is no caricature, nor are the colors overdrawn in the awful picture. Worse woes than my pen can relate, I have witnessed in those addicted to this fascinating, unnatural, and most destructive of crimes. If thou hast entered into this snare, flee from the destruction both of body and soul that awaits thee. God alone can save thee. Advice, warnings, threatenings, increasing bodily debility, mental decay, shocks of conscience, expostulations of judgment, and medical assistance will all be lost on thee. God, and God alone, can save thee from an evil, which has in its issue the destruction of thy body and the final perdition of thy soul."

11. FURNITURE OF THE CELLS.

a. The Male Cells.

The furniture of a male cell is a wooden bed bunk or frame made of pine, six feet long and two feet wide; a strawbed and pillow; three blankets and a comfortable, or more if needed; a water kid; a wash kid; a towel; a night bucket; an iron spoon; a tin pan; a Bible; and a slate. Most of the cells have also one or two bookshelves, provided by the occupants, and this convenience is allowed to all who desire and can procure it. The convicts are also allowed a looking-glass, a carpet, and a stool in their cells, if provided by themselves or their friends.

b. The Female Cells.

The furniture of the cells in the female prison is, in the main, the same as that of the male cells. Each cell here, however, has, in addition to the articles enumerated in the last paragraph, a bench, a tin cup, and a fine as well as coarse comb. Comforts are used on the beds instead of blankets. Many of the female cells are carpeted and fitted up with considerable taste.

II. GOVERNMENT OF THE PRISON.

A. OFFICERS.

1. NUMBER AND TITLES.

The present staff of the male prison consists of the following officers:—One agent and warden; one principal keeper; one physician; one chaplain; one clerk; one store keeper; one kitchen keeper; one hospital keeper; thirty-five assistant keepers; five relief keepers; four substitute keepers (employed occasionally and as necessity arises); thirty guards; four substitute guards; and two teachers;—in all, eighty-eight officers. One assistant keeper is allowed by law to every twenty-five convicts.

The staff of officers in the female prison consists of a principal matron, five assistant matrons, a teacher, and four guards.

2. DUTIES OF THE OFFICERS.

a. Agent and Warden.

The agent and warden is the executive head of the institution. He is charged with a general oversight of the same in its finances, discipline, dietary, &c., &c. He is responsible to the

Inspectors for the condition of the prison in all its varied claims and interests, and must not only faithfully perform his own duties, but see that all other officers perform theirs.

b. Principal Keeper.

The principal keeper is the chief police officer of the prison. He must be at the prison at all times when the prisoners are unlocked; must attend at the religious services of the chapel; must visit daily every department of the prison; must be present and superintend the infliction of punishment; must keep a full and accurate record of punishments; must attend to and investigate all complaints of convicts of ill treatment or want of sufficient food or clothing; must see that the guard are properly stationed during the business hours of the prison; and, in general, must keep everything snug and trim about the establishment.

c. The Clerk.

The clerk is the accountant, bookkeeper, and registrar of the prison. It is made his especial duty to deliver to the chaplain, within 48 hours after the admission into the prison of any convict, a transcript of the prison register, so far as it relates to said convict.

d. The Chaplain.

The duties of the chaplain have already been sufficiently set forth in former portions of this report.

e. The Physician.

The sanitary interests of the prison are placed exclusively in the hands of the physician, and he is clothed with ample powers for the maintenance of those interests, so far as they may be subject to human control. It is his duty, first of all, to attend faithfully to the sick among the convicts; to examine every prisoner on his entrance, and make a record of the results of said examination; to inquire carefully into the mental condition of every convict; to make frequent examinations of the rations furnished to the prisoners; and to visit daily all convicts confined in the dark cell for punishment, and to order their discharge from the same, if, in his opinion, such confinement is likely to prove injurious to the bodily or mental health of said convicts.

f. The Keepers.

The position of a keeper in the prison is important and responsible. His duties are often delicate and difficult, and require, for their due performance, coolness, sagacity, self-control, circumspection, and a calm and wise judgment. These officers have charge of the convicts through the entire day in all the various departments and operations of the prison.

g. The Guards.

The one great duty of the guards is to maintain a constant and careful watch over all the prison premises, while the prisoners are unlocked, and see that none of them effect an escape therefrom.

h. The Teachers.

The duties of the teachers have been already described. It is much to be desired that a more comprehensive, common sense, and efficient system of secular instruction may soon be introduced into the prison. The present system is little better than a mockery; a shadow without the substance.

i. Officers of the Female Prison.

The duties of the matron and assistant matrons in the female prison correspond, substantially, with those of the principal and assistant keepers of the male prison.

3. QUALIFICATIONS OF OFFICERS.

It is quite evident, from the foregoing detail of their duties, that a high order of qualifications is required in the staff of prison officers. The nature and breadth of these qualifications have been indicated in previous parts of this report, and need not be repeated here, further than to say that benevolence, firmness, knowledge of human nature, and experience are cardinal requisites. In the selection, both of the chief and his subordinates, it should be made a fundamental point that they be fitted by nature, education, and habit for the important positions which they are to fill. No man, however honest and well meaning, should be placed in so responsible a post, unless there is good reason to believe that he possesses the qualities and habits required to fill it to the advantage of the community. The present warden and principal keeper, and many of the

assistant keepers and guards, in the judgment of the committee, come up to the standard here laid down; but they are sorry to be compelled to add that there are others who, as they conceive, fall far below that standard.

B. INSPECTION.

I. GENERAL INSPECTION OF THE STATE BOARD.

a. Powers of Inspectors.

The Board of State Prison Inspectors is composed of three inspectors, who are chosen by the people (one each year), and hold their office for three years. They are invested, both by constitutional and statutory provision, with very comprehensive powers. The general oversight and care of the three State prisons, and of the State asylum for insane convicts, are entrusted to their hands. It is their prerogative to frame and enact all the necessary rules and regulations for the government of the said institutions. To them also belongs the appointment of all the officers of these institutions from the agent and warden down to the guard; and the said officers hold their several places wholly at the pleasure and discretion of the Inspectors. Whether this latter power, is wisely bestowed, will be considered in a subsequent part of this report.

b. Duties of the Inspectors.

The duties of the Inspectors may be viewed in a two-fold relation, viz.: first, in their associate capacity as a board of inspection, and, secondly, in a more restricted capacity, as individual inspectors.

First, as a board of inspection. In their associated capacity, they are obliged to hold a meeting once every three months at each of the State prisons, and, in point of fact, they hold perhaps as many more special meetings during the intervals. As a board, their duties are to remove and appoint officers, according to their judgment of the exigencies of the prison; to examine and approve (or disapprove, as the case may be) the minutes of the Inspector in charge; to confer with the agent and warden, in relation to finances, contracts, &c., and to examine and sit in judgment upon his doings for the past quarter; to receive a report from and confer with the physician in relation to the sani-

tary condition of the prison; to confer with the store keeper and kitchen keeper, and receive reports from them, touching the quantity and quality of the food furnished to the convicts; to superintend the letting of contracts; and, in a word, to make a general survey and examination of the whole prison in all its departments and all its operations.

Second, as individual Inspectors. Each Inspector has charge of one of the prisons for four consecutive months of each year, and is called the Inspector in charge. It is the duty of the Inspector in charge to spend at least one week each month at the prison under his care; to fill vacancies that may have occurred, subject to the approval and confirmation of the board; to receive any complaints that convicts may wish to make, examine into the grounds of said complaints, and extend relief and redress in cases where he judges it needful; to examine and approve the estimates for the ensuing month; to order the removal of insane convicts to the State Lunatic Asylum at Auburn; and, generally, to supervise the affairs of the prison in its numerous and varied interests. He must record in his minutes all that he does in an official capacity during his sojourn in the prison.

From the foregoing detail it appears that the duties of the Inspectors cover a broad field, and are of the highest importance. The very responsible trust confided to these officers cannot be adequately discharged by attention to official appointments and pecuniary interests. The police of the prison, and the health, comfort and reformation of the prisoners, are entrusted to their care. They must be ever wakeful and vigilant; they must watch within as well as without the prison; they should spend much time within the prison walls, thus gaining the confidence of the prisoners, making themselves acquainted with their wants, and seeing that abuses, if any exist, are removed, and that the health, the comfort, and, above all, the moral improvement of the convicts, are not sacrificed to the interest or ease of the subordinate officers or the contractors. Their influence may and should be made to tell powerfully in favor of the reformation of the convicts.

2. DAILY INSPECTION BY PRISON OFFICERS.

a. The Warden.

The warden's duties are chiefly in his office, when not engaged in procuring supplies or attending to other out-door interests of the prison. Nevertheless, he shows himself in nearly every part

of the prison premises daily, inspects the food of the convicts almost every day, passes through the workshops once or twice a week, uniformly attends the chapel service, and exercises a general supervision over the whole prison and its multimiform operations. These duties are all, as the committee think, faithfully and very efficiently performed by the present incumbent, Mr. G. B. Hubbell.

b. The Principal Keeper.

The principal keeper is required to be well nigh ubiquitous. His eye must peer in every direction, and pierce to every hidden recess. Mr. Grandby, who at present holds this position, appeared to the committee to be, in all respects, a faithful, discreet and efficient officer.

c. Assistant Keepers and Guards.

Assistant keepers and guards are required and expected to be ever alert and watchful in the various places where they are assigned to duty; the former to secure industry and obedience in the convicts, the latter to prevent their escape.

d. Official Supervision at Meals and Public Services.

Each keeper is required to be present with his company at every meal and at all religious services. At meals it is the business of the keepers to attend to the wants of the men, as well as to enforce the observance of the rules.

3. SPECIAL INSPECTION.

a. By the Executive of the State.

It is not made, by law, the duty of the Executive to inspect the prisons of the State; but every Governor does, nevertheless, occasionally visit these institutions to satisfy himself in regard to their condition and management, and more particularly to see and converse with convicts who have applied for a pardon. Once since Mr. Hubbell's entrance upon office, Gov. Morgan visited the prison and spent a day there. He conversed with thirty-three prisoners, ten of whom were subsequently pardoned. He was at the prison three times during his four years' incumbency, and being unable one year to make a personal inspection, he commissioned Mr. Pillsbury to do it for him. Gov. Seymour has not yet found time to undertake this labor, owing, no doubt, to the pressure of official duty occasioned by the existence of civil war.

b. By Legislative Committees.

The Senate and Assembly appoint committees annually, who visit the prison, and spend one or two days in examining it. They perform the same duty in reference to the other two. Of course, so brief an inspection cannot be very thorough, but it is still not without useful results.

c. By the Prison Association.

The New York Prison Association, in the early years of its existence, as authorized and required by its charter, made two or three searching investigations into the state and condition of Sing Sing prison. As the probe had reached the quick and become somewhat painful, a controversy sprang up between the Association and the prison authorities as to the extent of the society's powers in the inspection of the prison. This controversy ran through many years, and assumed various phases in its progress. It seems never to have been really settled one way or the other, but was permitted, if we may be allowed the use of a modern cant expression, to "slide." Official inspections of the prison might have been made by the Association any time within the last six or eight years, but the duty has never been resumed since its first interruption till the current year. Yet this duty is important, and is so regarded not only by the Association itself, but by the present authorities—as well the Inspectors as the prison officers. Supervision, close and constant, is essential to the healthy condition and working of all public institutions, and more especially of prisons, both because they are removed to such a distance from common observation, and because their inmates are so completely under the control of those who are placed over them. Not only, then, should our prisons be often visited by the Inspectors, but also, from time to time, by independent official visitors, to check abuses and prevent unauthorized treatment of prisoners from the hands of prison officials. Without this vigilant supervision emanating from the people, prisons may degenerate into places of torture, for unwatched power is sure to be abused. Where this watchfulness is wanting, the greatest cruelties may be practiced within the walls of a prison with confidence and impunity. And this danger is increased in a community where the rich may escape imprisonment prior to trial by giving bail, and where, consequently, they feel but little interest in the rights of the poor, who, when accused

of crime, are compelled to undergo incarceration while awaiting their trial. Vigilance in the execution of laws is as necessary as wisdom in the enactment of them.

C. EXECUTIVE ADMINISTRATION.

1. MODE OF APPOINTING OFFICERS.

The Inspectors are nominated for their places as party men by party conventions, and are chosen by popular suffrage. Special fitness is well, when found in combination with political influence and party popularity; but it is, for the most part, a subordinate consideration. Elected themselves upon considerations of this kind, the Inspectors make and unmake the officers of our State prisons at will. The sole power of appointment to places in these institutions is in their hands. If Inspectors are not something more than men, it is easy to guess how this power will be exercised. But neither conjecture nor inference is necessary here. Facts speak trumpet-tongued. Nor, as far as this committee know or believe, does it make any difference what party may have the ascendancy in the Board of Inspectors. The behests of party are ever the same. The spirit of party is one and unchanging. Now, party politics has its *role*; a *role* which, in its appropriate sphere, is important and beneficent; but religion, education, schemes of social reform, and all benevolent and philanthropic enterprises lie wholly outside of that sphere. Interests of this nature party politics never touches, but to mar and hinder, if not to ruin and destroy. New York has given to the world a prison system; but, owing to frequent changes in the executive administration of her prisons, which changes are the natural and necessary result of the controlling influence of party politics over the said administration, she has failed to mature and perfect her system, and the prisons of other States are looked to as models of the plan which originated with her.

The course pursued by the neighboring State of Pennsylvania is different, and has been attended with the best results. The inspectors of her State prisons are appointed by the judiciary. The practice of the judges is to renew continually, without the slightest reference to their political principles and predilections, the commissions of those inspectors who have discharged their duties wisely and faithfully. The inspectors appoint but four officers in the prisons—the warden, chaplain, clerk,

and physician. The warden is regarded as solely responsible for the discipline and condition of the prison, and to him is left, justly and fitly, the selection of all his subordinates, whose political sentiments he never inquires into, prior to their appointment, nor makes a ground of removal afterwards. He himself, if removed at all, is removed for reasons connected with the manner of discharging his duties; in no case, on political considerations. The result thus secured by Pennsylvania, is permanence and steadiness in the administration of her penitentiary system, whereby she has been enabled to carry her chosen system of prison discipline steadily forward towards its proper maturity and perfection. In like manner, what is most wanted now in New York, so far as her State prisons are concerned, is PERMANENCE IN THEIR EXECUTIVE ADMINISTRATION. This, indeed, seems to the committee an essential condition of progress. The governing board should be appointed by some agency that would lift it out of the range of party politics. Its members would then be free to give party influences to the winds, and to direct their attention and bend their energies exclusively to their appropriate duties. To the chief, should be confided the appointment of all those who are connected with the police of the prison; and this officer should then be held to a stringent accountability. This mode of appointment is, in fact, the one formerly in use in this prison. In a pamphlet entitled a "statement of the government and discipline of the New York State prison, at Mount Pleasant" (Sing Sing), which document was submitted as a report to the Legislature in 1834, by the then agent, Robert Wiltse, this sentence occurs: "The deputy keeper, assistant keepers, and guards, are appointed by the agent, and hold their offices during his pleasure."

2. TENURE OF OFFICE.

The tenure by which the several officers concerned in the government of the prison hold their respective positions, has been incidentally stated under the preceding head. The inspectors retain office three years; all others at their pleasure, which, in practice, means till a fresh turn of the political wheel. Sing Sing prison went into operation in 1828; the Eastern penitentiary, at Philadelphia, in 1829; these two institutions, therefore, have had a career of equal duration. But, owing to the different principles and modes of appointment to office prevailing therein,

the prison at Philadelphia has had but four wardens, one of whom resigned against the will of the inspectors; another, we believe, was removed by death, and the present incumbent is likely to serve as long as health continues, and inclination prompts; while the prison at Sing Sing has had no less than twelve chiefs. Of subordinate officers, the Eastern penitentiary has one who has been in its service from the start; several who have served it more than twenty-five years; and a still greater number who have held positions there for periods varying from ten to fifteen years. A good officer is never removed from that institution. This is as it should be. While the utmost care should be exercised in the selection of prison officials, when competent ones have been secured, they should never be displaced. They should never be changed with the changes of political parties, but ought to be allowed to hold their places during good behavior, and that to a twofold end—first, that they may give their whole attention and interest to the institution, and, secondly, that the full advantage of their increasing experience and skill may be secured to it.

3. PARTIZAN POLITICS.

a. How far Politics are an Element in the Government of our Prisons.

The extent to which partizan politics enters as an element into the government and administration of this and all our other State prisons, has been made sufficiently manifest in the preceding paragraphs. In point of fact this is the controlling power; and our prisons, under existing constitutional and statutory provisions, are managed, and, we fear, must continue to be managed, to a very great degree, as political machines.

b. Effect of this System upon the Condition and Usefulness of the Prisons.

It requires no great penetration to see that a system of appointment to office, such as that described above, must be extremely prejudicial, if not disastrous, to our penal institutions. It is evident that a wise, vigorous, steady, and successful administration can be secured only by the appointment of men qualified by nature, education, taste and habit for the important positions they are to occupy. That a merely political appointment affords no guaranty of such qualifications might be inferred from the nature of the case; and such inference is abundantly con-

firmed by the teachings of experience. The great objects of prison discipline, the security of society and the reformation of the transgressor, can never be secured, while appointment to office is in the hands of mere politicians. Persons so elected, sensible of their dependence on party rather than fidelity for their tenure of office, naturally, if not unavoidably, look to political chicanery more than to a faithful discharge of their duties for continuance in their places. But more than this: Where political influences control appointments, the selection of incumbents, in the first instance, is often, perhaps commonly, governed by other considerations than their fitness for the work to which they are called. Yet there is scarcely any other business, where so much depends on the peculiar qualifications of the persons charged with it. It is a duty *not* to be learned in a day, and its efficient and successful performance requires a union of rare qualities—kindness, judgment, a quick and keen insight into character, a strong instinct of justice, and a large and varied experience. To change the men relied upon for such a work with every fluctuation of party is to strike a fatal blow at that steadiness and uniformity of administration, which are essential to full success, and especially to an onward march towards perfection.

c. The Remedy for this State of Things.

The only remedy for this condition of things, as far as the committee can discern, is such a modification of the system of appointment to office, as shall withdraw such appointments from the maelstrom of party politics, and thereby impart greater stability and permanence to the executive administration of the penal institutions of the State. But how can such a change be effected? Not otherwise than by a change in the fundamental and statutory law of the Commonwealth. Fortunately, a convention to revise the Constitution, periodically provided for by that instrument, will be chosen, and will convene to do its allotted work, in 1866. The committee are happy to know that thoughtful minds are already turning their regards to that body in the hope and expectation that something, that much will be done by it to improve and render increasingly efficient the prison system of our State. They do not undertake to say, precisely, what changes are requisite; but they feel confident that the sagacity, the patriotism, and the wisdom of our citizens are equal to the solution of the problem.

To guard against misconception, the committee would add that, in what they have said on this subject, it is the *system*, and not *men*, at which they have been aiming. They believe that, in the main, the present Board of Inspectors have acted with an eye to the public good, and have been, at least, as little under the sway of party politics, as other boards that have preceded them.

III. DISCIPLINE OF THE PRISON.

1. GENERAL CONSIDERATIONS.

The discipline of a prison is the most difficult, as it is the most important, of all the subjects connected with the regulation and administration of its affairs. The problem is to establish and maintain a wholesome state of order, obedience, and regularity, which shall be at the same time free from harshness and cruelty to the convicts; in other words, to harmonize the necessary degree of coercive correction with that sympathy and kindness which are due to the fallen and the unfortunate. Doubtless, recourse must often be had to punishment, sometimes to punishment of a severe and imposing character, for obedience must be enforced at whatever cost; but such extreme punishments should be applied only when all other means have failed to effect the desired end. In effect, the proper management of the discipline necessary in a prison may be regarded as both a science and an art. As a science, it can be acquired only by long study, experience, and familiarity with the matters to which it relates; as an art, it can be successfully applied and practiced only after close, intelligent, and long continued observation of the dispositions and habits of the inmates of our prisons. If this be so, it strongly re-enforces the views already submitted touching the importance of greater stability in the administration of these institutions.

2. POLICE REGULATIONS.

a. What are they?

The main duty of convicts at this, as at all prisons on the congregate plan, is to labor diligently, to obey all orders, and to preserve unbroken silence. There are, however, many matters of detail relating to the conduct required of them. These are: To march to and from their work and meals, under the care of their several keepers, in single file and in close order, (that is, in what is called the lock step,) each looking over the shoulder of the one immediately in front of him, and with his face inclined to-

ward the keeper, for the sake of more perfect observation; to march strait and turn square corners; in chapel, to sit erect and with arms folded, and the same in mess room, except while eating; in meeting officers and visitors in the yard, to give way in all cases, and to tip the cap; to do no fancy work and make no trinkets; never to engage in traffic with fellow prisoners or any other persons; not to wilfully or carelessly injure their work, tools, clothes, bedding or anything belonging to the prison, nor to execute their work badly, when they have the ability to do it well; not, at any time or on any pretence, to speak to any person who does not belong to the prison, nor to receive from them any letter, paper, tobacco, or other article whatsoever; and, in their whole demeanor to act in a respectful, quiet and orderly manner, and in strict conformity to the discipline of the prison.

b. Means taken to acquaint Convicts with these Regulations on entering.

When a convict is brought to the prison, various interrogatories are put to him by the clerk, and the answers elicited are recorded in a book. Any money or valuables in his possession are taken from him and deposited with the warden for safe keeping against his discharge. He is then given into the charge of the keeper of the hospital. This officer takes him to the dressing room, and causes him to be denuded of all his own clothes, thoroughly washed in his whole person, and arrayed in his prison attire; after which he is weighed and measured. He is next conducted to the hospital, where he is carefully examined by the physician as to the state of his health, and the results of the said examination, together with a full description of his person, are recorded in a register kept for the purpose. The prisoner is then conveyed to the main hall, where he is given into the charge of the hall keeper, who instructs him in the rules to be observed by him, and assigns him to some vacant cell, till such time as he can be permanently located among the members of the shop, where he may be required to work. Either on that or on the following day, he is assigned to some branch of prison labor. If he has a trade, he is naturally, though by no means invariably, placed in a shop where he can work at his former business or something akin to it; if he has no trade, he is given to contractors who either most need or are best entitled to him. Convicts in feeble health at the time of their reception are either placed in the

hospital, or put on some work which is doing for the State, where they can have light tasks. They are never assigned to contract work.

On the entrance of convicts into the prison, every pains should be taken to make them acquainted with the rules and regulations of the place, and to impress upon them the obligation of obedience to these requirements, as well as the consequences attending disobedience. Such lessons and exhortations, it seems to the committee, should be imparted in the most formal and solemn manner, by the highest officers of the prison,—the warden and chaplain, officers to whom is assigned, in an especial manner, the care and oversight of the prisoners in respect to their moral interests and improvement. Counsels to be of good conduct, admonitions to pursue an industrious course, exhortations to aim at a thorough reformation of heart and life, and assurances of the pleasure it will afford the authorities, if they pass through the period of their sentences with resignation, fortitude, obedience, and, above all, a return to virtue in the end, will come from the officers named with the highest authority, and no doubt with the best effect. Each convict should be seen and conversed with by both warden and chaplain, prior to his formal entrance upon his prison life. His duties and responsibilities should be explained to him by these officers, and the fact impressed upon him that his imprisonment is not for punishment only, but for reformation as well. He should be given to understand, and, if possible, made to feel that while by his incarceration he is paying to society the penalty of his past crimes, he may, at the same time, by suitable resolutions and efforts, be laying the foundation for a fair reputation in the future. He should be made to realize that it depends mainly upon himself whether society will receive him on his discharge, as an erring but repentant member, or spurn and repel him as an incorrigible and hopeless villain; and that he possesses the power, and an opportunity is now afforded him, if he will but use it, to win his way back to the confidence and respect of the community, to virtuous and honorable industry, and to association with the pure and the good.

3. VIGILANCE OF THE OFFICERS.

a. How comprehensive and thorough.

Although it is quite obvious that the frequent changing of keepers has an injurious effect upon the watchfulness maintained

over the prisoners, yet, upon the whole, it appeared to the committee that a pretty close watch is kept upon them in the workshops, yards, mess-room and chapel. A very considerable difference was observable, in this respect, between different keepers, and a corresponding difference in the order and quietness of the shops. There are parts of the premises where but little vigilance is or can be maintained. The few convicts engaged in lime burning have no overseer. In the quarry there is a keeper, but it is impossible for him to have his eye on more than a very small portion of his gang at a time. The same is true of the jobbing shop, in which there are numerous coverts, where convicts can screen themselves from the observation of even the most watchful guardian. The committee are of the opinion that one keeper and one guard are not sufficient for that vast range of cells in the male prison, with its thousand inmates. It is impossible to prevent, by a supervision so meagre, conversation between the prisoners to an almost unlimited extent.

c. Effect of Vigilance on the Discipline.

The old maxim, *vigilantibus, non dormientibus servit lex*—"the law is the servant of the watchful, not of the slumbering," is as true of prison discipline as it is of any other sphere of government. Convicts who know that the eye of their keeper is ever upon them, seldom expose themselves to punishment by transgressing the rules. Sleepless vigilance on the part of keepers is more effective in securing obedience and good order in a prison, than the utmost rigor of punishment. Watchfulness in the officer begets self-watchfulness in the convict, and this especially, when it is combined with kindness, intelligence, good judgment, and manifest conscientiousness. All this is abundantly attested in what is taking place every day at Sing Sing prison. The degree of vigilance and skill in the keeper measures the amount of punishment inflicted on the men under him, with almost as much certainty as the height of the mercury in the thermometer measures the temperature of the atmosphere.

4. PUNISHMENTS.

a. Kinds of Punishment employed.

The several species of punishment used in the male prisons at Sing Sing, are the iron cap, the dark cell with a diet of bread and water, the yoke or "crucifix," the shower bath, and the ball

and chain. The above punishments are sometimes variously combined to increase their efficiency. The iron cap which is chiefly employed as the penalty for talking, inflicts no suffering at all, but expends its force in producing the emotion, more or less vivid, of shame in the wearer. The yoke or "crucifix" is an upright iron bar with a cross bar of the same metal, to whose extremities are sometimes affixed weights more or less heavy, with an apparatus for fastening it about the neck of the culprit, and his arms are extended along the cross bar to which they are attached, by an iron ring or loop, at right angles to his body. This is undoubtedly a severe punishment, but it cannot be called cruel, since its effect is simply to produce a feeling of great weariness, and by no means either sharp or intense suffering. Punishment by the shower bath is by law required to be always inflicted in the presence and under the supervision of the physician, whose duty it is to watch its effect, and to put a stop to it, whenever, in his judgment, it is likely to become injurious to the bodily or mental health of the subject. With a restriction of this kind, enforced by an intelligent and humane medical attendant, the committee cannot concur in the opinion urged by some that the shower bath, as an instrument of prison discipline, ought to be abolished. On the contrary they think it, for certain offences, (those arising from violent gusts of anger, for example,) a punishment every way suitable, and altogether happy in its effect. At the same time they incline to the belief, that possibly too much use is made of it at Sing Sing, there having been 145 instances of showering there within the past year. But the committee would give the preference to the dark cell as a means of punishment, over all other modes used at Sing Sing, (the iron cap scarcely deserving the name of punishment,) and that upon the following grounds: Convicts, in the first excitement which follows a misdemeanor and the threatened punishment for it, are incapable of reasoning. Their passions become predominant, their sense of injustice, real or imaginary, is sharpened and irritated to a degree which causes them to brave all punishment of short duration, however severe. They even find a sort of perverse enjoyment in the indifference with which they undergo such punishments, merely, as it were, to spite their keepers, and to impress them with an idea of their own insensibility to pain, thus stirring up in themselves, as well as in the keepers, bitter and resentful feelings. The dark cell,

on the contrary, affords opportunity for thought; its tendency is to calm the passions, and this tendency is increased by the low diet with which it is accompanied. The most ferocious beasts are tamed by hunger; why should it not have the same effect on an infuriated man? Under the present mild regime at Sing Sing, the dark cell would probably be more resorted to than it is, if the contractors were not losers by it. This kind of punishment naturally has an injurious effect upon their interests, as it abstracts the time of their workmen, who thus fail to do their accustomed profitable work. The physician is required to visit daily every convict undergoing punishment in the dark cell; that he may judge of the effect of such confinement upon the culprit's health, and it is his duty to have him removed whenever he thinks that his health is suffering. Would it not be well to require the chaplain to visit these men, and seek to bring the softening and subduing influences of religion to bear upon them? Confinement in the dark cell, in the great majority of cases, is limited to a single night. The longest period during Mr. Hubbell's administration was 30 days. It has been extended to 40 days.

In regard to the location of the dark cells in Sing Sing prison, the committee have this remark to make, that their proximity to the ordinary sleeping cells of the convicts tends greatly to impair their efficacy. A prisoner confined in one of these dark cells can hear what is going on around him, and can disturb the convicts in his neighborhood during the night by calling aloud, stamping on the floor, or drumming on his cell door. All these practices are common with vicious prisoners, and indulgence in them is often the occasion of further punishment. It should be mentioned that there are a few dark cells in another part of the prison, where men can be confined in summer, but at no other time for the want of means of heating them.

The committee are unanimously opposed to the revival of the cat, which is advocated by some prison officials. They regard the influence of the lash as bad both upon the punisher and the punished. It tends to the obliteration of all amiable and honorable feelings in the officials who inflict it, no less than in the convicts who are the subjects of it. Its inevitable effect is to brutalize those who are habitually concerned in it; and, in proportion as it makes them more of animals, it makes them less of men. While it lacerates the flesh, it indurates the heart. While it coerces the body, it blights the soul. It kindles and fans the spirit

of revenge. Experience has demonstrated that, though the lash may subdue, it will never reform the criminal. It may reduce him to obedience for the time being, but it can neither soften his heart nor exalt his moral nature.

Some additional minor punishments, which are used elsewhere, though not here, might be advantageously introduced—such as privation of food or bedding for a time, a diet of bread and water without confinement to the dark cell, the withdrawal of the privilege of the library or of correspondence with friends for a season, increase of task work, prohibition of over-work, and the withholding of tobacco, which is found to be a very effective means of discipline with prisoners.

b. To what Extent Punishments are recorded.

It is quite usual, in prisons, to omit minor punishments from the record, and insert only those of a graver character. If the committee are not mistaken, this is the usage in Auburn and Clinton prisons. A different practice prevails at Sing Sing. Here, everything in the way of punishment is made matter of record, no matter how trifling it may be. This is the true and correct principle; the only one, in fact, which gives a fair view of the coercive discipline of the prison. The practice was different at Sing Sing under all former administrations; the new and correct rule has been introduced by Mr. Hubbell.

c. Offences for which Punishments were inflicted last year.

The following are the offences for which punishments have been inflicted during the past year, and the number of convicts charged with each class:

Talking, whistling, &c., in cells.....	259
Talking elsewhere than in cells.....	225
Miscellaneous minor offences.....	184
Refusing to work.....	104
Quarreling and fighting.....	86
Insolence to officers.....	79
Disobedience.....	54
Short in work.....	39
Trading.....	23
Leaving proper place without permission.....	21
Spoiling work and tools.....	16
Stealing.....	12
Escaping and attempting to escape.....	10

Assaulting keepers and foremen.....	7
Bad marching.....	5
Pretending disability to work.....	4
Difficulties with foremen and contractors.....	4
Resistance to keeper.....	1
Attempting mutiny.....	1
Offences not stated.....	79
Total.....	<u>1,213</u>

Of the above punishments, 338 were by iron cap; 654 by dark cell—in most cases for only a few hours; 94 by showering; 16 by yoke; 40 by dark cell and showering; 38 by dark cell and yoke; 9 by dark cell, yoke, and showering; 3 by dark cell and cap; 3 by dark cell and ball and chain; 1 by dark cell, cap, and showering; 1 by yoke and showering; 1 by yoke, showering, and ball and chain; and 10 by methods not stated in the record.

d. Frequency of Punishment.

By an examination of the punishment book for the last two years, it appears that the number of recorded punishments for 1862, was 615, while for 1863, it was 1,213. That the number of punishments should be nearly doubled under the mild administration of the present warden, struck the committee as something quite singular. On a deeper search, the explanation was found to be simple and satisfactory. The apparent increase was occasioned by the fact, that formerly only punishments of the graver sort were recorded, whereas, now, all are registered in the records. Under this explanation, the case stands thus: Of the 1,213 punishments inflicted last year, 338 were by cap for talking (really no punishment at all), and 659 were by dark cell for a few hours, for short work, talking, and other minor offences. Of these 992 punishments, not one would have been recorded under former administrations. Subtracting these from the whole number (1,213), we have a remainder of 221 punishments, which alone would have been considered worthy of a place in the prison records prior to the last year, against 615 the preceding year. On inquiry, the officers gave it as their opinion, that severe punishments are now four-fifths less than they were before the present administration was inaugurated.

But there was another fact evolved by the committee's inquiries, which struck them as still more strange, viz.: that, even under

Mr. Hubbell's administration, there has been a large increase of punishments during the last half year, as will be seen by the following table of the punishments inflicted for each month of the financial year:

1862. October	44
November	41
December	45
1863. January	65
February	86
March	72
April	88
May	147
June	163
July	160
August	196
September	106
Total	<u>1,213</u>

Here we have the remarkable fact that of 860 punishments during the last half against 353 during the first half of a year, in which the government of the prison was avowedly conducted on the principles of reason and humanity, instead of those of force and severity. The committee stood amazed at this result. It seemed to them, at first view, to be decisive against a mild system of prison discipline, and in favor of a system stern and brutal in its character. They could not admit such a view, but upon evidence impossible to be gainsaid. They determined, therefore, to probe the matter to the bottom. Their investigations resulted in the following solution, which was satisfactory to themselves, and which they think will be satisfactory to the Legislature and the public.

When the present agent and warden entered on duty, it was the practice to report none but grave offences, and the punishments inflicted for such offences were the only ones that appeared against the convicts on the prison records. About that time, the commutation law, whereby convicts, by good conduct, are allowed to earn a diminution of their terms of sentence, had just come into operation. For reasons already stated, the late Executive did not put the law in force in a single sentence.

When Gov. Seymour came into power, Mr. Hubbell wrote to

him on the subject, and he replied that he would grant commutations agreeably to the terms of the law. On receiving the first instalment of reports, the Governor was surprised at the amount of commutation earned, and wrote to Mr. H. that he must be particular and report no one for good behavior who did not work diligently, obey implicitly the rules, and commend himself particularly to the officers. Thereupon, Mr. H. gave orders to notice every offence, however small, to inflict some slight punishment for it, and to make the said punishment a matter of record. According to this order, all cases of talking, leaving place without permission, trading, whistling, and other minor offences were reported and punished. The new system was not really enforced till about the month of May last, and at that time the list of reports and punishments began so rapidly to increase.

Again, in the month of July, the great riots occurred in New York, when a hundred soldiers and fifty policemen were sent up to Sing Sing to protect the prison against any mob violence that might be threatened. These men were much of the time on the prison grounds, and their presence naturally excited the prisoners, and caused them to talk and commit other offences.

Still further, in the month of August, there was some very hot weather, and, before the authorities were aware of the fact, the cooked rations of the prisoners were spoiled for one or two days. A few bad men took advantage of this misfortune to excite a revolt in one of the shops, and 37 men refused to work. Of necessity they had to be punished, and every one of them was showered. Subsequently, they became deeply penitent, and several of them declared that they regretted that foolish step more than any other they had ever taken since their imprisonment.

As the prisoners have now come to understand that all offences are charged to them, they are more careful, and transgression against the rules has become much less frequent, as the records for September show. The punishments during that month fell off nearly 100 per cent.

Of the convicts subject to coercive discipline during the year, 290 were punished but once; 96, twice; 70, three times; 38, four times; 19, five times; 11, six times; 12, seven times; 9, eight times; 3, nine times; 1, ten times, and 1 fifteen times.

5. KINDNESS AS A MEANS OF DISCIPLINE.

a. How far Kindness is employed as a Means of Discipline.

How far kindness is used as a means of controlling the prisoners at Sing Sing under the present administration, how far counsel, reproof, remonstrance, persuasion, and motives addressed to their moral and intellectual nature, are employed as a means of discipline, has been made apparent in the preceding parts of this report. The principle on which the institution is now conducted is, that moral agencies are to be substituted for brute force to the utmost extent, to which such substitution is practicable.

b. Effect of Kindness on the Discipline.

The effect of this system on the prisoners themselves, and on the discipline of the institution, forms an interesting subject of inquiry. On *a priori* principles, it might be inferred that the effect would be beneficial. It is quite possible that there are convicts so brutalized by their past habits that they can be controlled only by bodily suffering. But we believe the number of such to be small. There are few criminals so degraded as to be insensible to kindness and sympathy. This fact is proved by the history of Sing Sing prison. It is the testimony of the best keepers there, that the humane system is more effective in securing obedience to prison rules, cheerful industry, and gentlemanly deportment on the part of the convicts, than the system of harshness and severity.

6. REWARDS.

a. How far the Principle of Rewards is incorporated into the Discipline of the Prison.

On the subject of rewards as a stimulus to good conduct, an intelligent convict, who is much confided in by the authorities, said to the committee: "As matters stand, and as I have seen them during the four years of my sojourn here, I have come to the conclusion that whatever convict conducts himself ill will be punished, and he who is reformed (proving this by his conduct) will not, or but slightly, be rewarded." It is important we think, that there should be given to the convict, while expiating his crime, that stimulus to exertion which actuates men in common life. All hope of reward being taken away, who among us would be willing to toil? The case of the prisoner, with no

prospect of reward, is like that of the man without hope. He becomes torpid, indifferent, and reckless. But set the hope of reward before him, and you have placed in his view an object, which will rouse his ambition and stimulate his efforts.

b. Effect of the Commutation System on the conduct of the Prisoners.

One such object has been set before the convict by the commutation law. This is a law which authorizes the convict by industry and a careful observance of the rules and regulations of the prison, to earn a certain diminution of his term of sentence. By the law, as it now stands, the maximum of days that a prisoner can earn is twenty-four in a year; as it stood, when first enacted, early in 1862, as this committee understand it, though a different construction has been put upon it by some, a convict could earn, by uniform good behavior, a maximum of thirty-six days in the year. The concurrent testimony of officers and prisoners is, that this law is highly beneficial in stimulating the inmates of the prison to increased diligence in their work, and increased efforts to render themselves, by their good conduct, worthy of the reward which the statute holds out to them.

b. Whether it is desirable and practicable to render the Principle of Rewards more effective as a Means of Discipline.

The question arises whether the principle of rewards for good conduct, such as we see incorporated into the arrangements of Providence for the encouragement of virtue, ought to be, as a matter of policy, and can be, as a matter of fact, introduced into and made part of a system of prison discipline? The committee think it both desirable and practicable to arrange a system of rewards, and make it an effective element in prison government. They are not prepared to suggest the details of such a plan, but must content themselves with a few general hints.

In the first place, the commutation law affords a good starting point for such a system.

In the second place, overwork might be so systematized and organized as to offer a powerful stimulus to industry and good behavior.

In the third place, the abolishment of the contract system and the substitution of an improved system of labor might be made

subservient to the same end. By discarding both contractors and politicians from our State prisons, and placing their industries in competent hands, these institutions would not only become self-sustaining, but might be made to yield a profit. Whenever this is the case, let their surplus earnings form a fund to be distributed among discharged convicts in sums proportioned to their merits.

In the fourth place, a principle of classification might be introduced into our State prisons, which would operate as a strong stimulus to good behavior in prisoners. Old and hardened criminals, life men, and those who get into prison two or more times, should be made to work separate and apart from the rest of the prison population, while the young and those who are sentenced for short terms and for first offences should be kept at work by themselves. The reason for this is that there are in a State prison always bad old offenders, who are so depraved, so expert in crime, and so determined to continue in that way, that the best thing to be done with them is to keep them at hard work, and feed them on wholesome but very coarse fare. The young, who have but just entered upon a career of crime, should not be allowed to associate with these old and hardened villains, but should be kept as far from them as possible. There are not a few young prisoners now at Sing Sing, who say that they knew comparatively little of the ways of perpetrating crime before they went there, but that they have learned so much since that they could now commit crime far more skillfully than before.

In addition to these separate plans for work, we would have for the younger convicts at least two, possibly three, distinct grades of lodging and boarding. Elevation from the lower to the higher grades should be attained only by a course of good conduct, industry, prudence, and manliness, which would fit them for intercourse with virtuous society. In the upper grade, the rules should require them to conduct, in all respects, like gentlemen; and for any violation of said rules, they should forfeit their places here, and be sent back to the low-grade department for a new trial, which should be for a longer or shorter period, according to the gravity of the offence committed.

With a system somewhat of the character sketched above, that is, with the principle of rewards as well as punishments incorporated therein, there would be good hope that many convicts, especially of the younger and more impressible and plastic

class, would go forth trained and fitted for an upright, useful, and honorable career in life.

7. INTERCOURSE OF PRISONERS.

a. Methods employed by Convicts to communicate with each other.

Resort is had by convicts to a variety of ways to hold intercourse with one another. Among these may be mentioned direct communication in the work shops, mess-room, chapel, yards, and elsewhere; notes conveyed by various expedients from one to another; slates; talking through the gratings of the cell doors and ventilating holes; and other methods, numerous, if not innumerable.

b. How far Silence is or can be enforced, and Communication between Prisoners suppressed.

The theory of the congregate system of imprisonment is a rigid prohibition of inter-communication between the prisoners. Two means are relied upon to secure the desired result, viz: A total separation of the prisoners by night and a sleepless vigilance of the officers by day. The question is, how far non-intercourse is actually secured, despite the strong temptation to the contrary in beings, endowed by the Creator with sociability, who are compelled, month after month and year after year, to work together, to march together, to sit together; in a word, to be in perpetual contact with each other.

Communication takes place among the convicts continually, and to a very great extent. The shops, mess-room, chapel, hall, hospital, water-closets, yards, and even the cells themselves afford ample means for it. One officer declared that, if a keeper were placed over every five men, communication could not be prevented. Another said that the result of an election was known all over the prison almost as speedily as it was outside. A third affirmed that any interesting item of news introduced by a new comer circulated with amazing rapidity among the prison population.

(1.) The style in which the prison is built is far from favoring the design of preventing communication. The apertures in the cell doors enable the convicts to converse even in a whisper, which facility is used to the largest extent, the guards at night being few, and, as it seems, extremely careless in checking conversation, even if carried on in a loud tone of voice and for

hours together. Some of the well disposed convicts complained that, night after night, they were compelled to listen to obscene and profane language, which interrupted their better meditations, and led their thoughts in a contrary direction; a result favored by the darkness and gloom, which surround them in their cells, and prevent them from reading. Then, again, the ventilating holes in the walls, making, in numerous instances, a complete communication between the adjoining cells, though of little use for the purpose they were destined to serve, greatly facilitate conversation between the convicts, who, under the meagre surveillance established at night, are enabled to talk with their neighbors through the said ventilating holes, as through so many speaking trumpets.

(2.) In the shops, the convicts, working generally in parties close together, have every facility to communicate with each other, more especially if they are at work some distance from the keeper.

(3.) In the quarries, as it seems, all talk as much as they please, without interruption or even (for the most part) the opportunity of being interrupted by the keepers. This is, to a still greater extent true of those engaged in burning lime, as, being few in number, they are left without the supervision of a keeper.

(4.) Communication is very frequently had by means of an interchange of notes, which is effected in a variety of ways. The most convenient means for conveying these missives to prisoners on distant parts of the prison premises are the barbers, who go from shop to shop shaving and cutting the hair of the convicts. Next to these are the men who are sent to the various workshops from what is called the State shop, with clothes for the convicts. Another great facility for exchanging notes is the "hall." Almost every man has a slate in his cell, on which he will write his communication (of course for a consideration,) to the "hall boy," who forwards the slate or a verbal message to another "hall boy," stationed in the gallery of the convict with whom the communication is to take place. In cases where the ventilating holes communicate with each other, notes and other commodities are often passed through them. In the mess room, too, where all are seated close together, and where darkness and noise at times prevent the keepers from seeing or hearing, notes are freely exchanged. This gathering, is in fact, one of the great and very

desirable opportunities for convicts to exchange their little commodities, as newspapers, books, &c., &c.

8. PARDONS.

a. Proportion of Convicts discharged by Pardon.

There have been during the year, in all, thirty pardons; 27 in the male prison, and 3 in the female; equal to one pardon for every 30 men, and one to every 41 women. The committee were unable to obtain information from the officers of the prison on the two following points, viz., first, the proportion of time of actual imprisonment in the case of the pardoned to the time during which they would have been imprisoned, if their sentences had been fully carried out; and secondly, the proportion of the curtailment of long sentences by pardon to the curtailment of short sentences. They regret this inability as the desired information is important in a thorough study of the subject of pardons.

b. Effect produced on Convicts by the Hope of Pardon.

There is scarcely a convict in the prison who does not indulge the hope that, sooner or later, he will be pardoned out. While this hope may induce, and, according to the testimony of some of the officers, does actually induce a certain degree of circumspection on the part of convicts, its influence upon the whole, and in the long run, must be injurious. It engenders and keeps alive in the convict's breast a feverish and unhealthy excitement, which must obstruct, if not prevent, a permanent reform. Indeed, no such reform fairly begins in a convict, till he has deliberately and calmly made up his mind to submit to the punishment which the law has awarded to him, nor so long as the hope of pardon leads his thoughts away from present duty, especially the duty of repentance and moral reformation, to the anticipated enjoyment of a liberty to which his past career of crime gives him no title.

c. The Policy of pardoning Criminals.

The pardon of a criminal is either a complete or partial remission of the penalty which he has incurred, and which has been in the due course of justice awarded to him for some violation of law. It is an act which, in effect, vacates and nullifies legal justice, although, in doing so, it may, since all human laws are imperfect, give effect to essential justice.

A power of pardon has existed in all States. Doubtless, it is a wise and necessary power. The most upright judge may mistake the law. The most honest jury may misinterpret and misapply the testimony. The fairest witness may give impressions which the truth will not warrant. There may be combinations of evil men, who, from motives of interest, passion, prejudice, or vengeance, may have succeeded in turning justice aside from its due course. The pardoning power is necessary to protect citizens from injustice arising from these and similar sources; injustice inflicted through the forms of law. But beyond cases of this sort, its exercise is perilous. The moment it assumes the province of review and sits in judgment on the proceedings of the courts, revising and reversing their decisions, and taking upon itself functions which have been assigned to a distinct and independent department of the government, that moment it degenerates into an instrument of injustice, and brings all judicial power into popular contempt.

The evils of a too free exercise of clemency in the pardon of criminals are many. Condensing, on this point, what has been well said by Dr. Lieber, in a paper published in one of our former reports, the committee affirm: It unsettles the general and firm reliance on the law, abiding confidence in its supremacy, and a loyal love of justice. It destroys the *certainty* of punishment, the most important and efficacious element in the whole punitive scheme. It increases the *hope* of impunity, already too strong in the criminally disposed. It interferes with the reform of criminals, which is a leading object of all wise human punishments. It induces large numbers of kindly disposed persons, male and female, from a superficial feeling of pity, to meddle with cases of which they have no adequate knowledge, and with a subject, whose grave importance they have never considered. It imports crime by attracting to the community, in which the pardoning power is known to be abused, criminals from foreign countries, where such abuse does not exist. And it makes every sentence not pardoned an unjust one, by subverting equal and impartial justice.

All this is fact, not theory, as might be abundantly demonstrated by a detail of statistics, if time and space would permit.

d. Whether the Pardoning Power should be vested in the Executive or in a Board of Pardon.

The certainty, more than the severity of punishment, operates to prevent crime. Consequently, in proportion to the frequency with which the pardoning power is exercised, will the law cease to be a terror to evil-doers. There can be no doubt that in our country pardons have been unduly multiplied. In some States, under the administration of certain governors, more than twenty per cent. of all the criminals have been discharged by pardons; and the average throughout the United States is not less than about four per cent. And, what makes the matter worse is, that the more heinous the crime and the longer the sentence, the less chance there is of its receiving the full punishment awarded. It is a well known fact that a criminal sentenced for five years and above it, stands a far better chance of being pardoned than one sentenced for two or three years, and that a person sentenced for life has, in this respect, a decided advantage over one sentenced for seven or ten years. In our own State, as declared in one of our former reports, in a period of ten years, sixty convicts sentenced for life were pardoned. Of these, none had been imprisoned more than ten years, and several less than two. We have the authority of a former governor for stating that the average length of imprisonments, where the sentence has been for life, does not extend beyond a term of seven years. Nor is the frequent exercise of the pardoning power chargeable to the Executive alone; the people themselves have an equal, perhaps even a greater responsibility herein. No matter what crime a man may have committed, let him be sentenced to hanging or imprisonment for life, and he is at once converted into a martyr, upon whom public sympathy is freely expended. Abundance of influential names can be procured, invoking executive clemency, insomuch that it requires no small amount of decision and firmness to withstand the combined influences of so many respectable individuals.

The committee are of the opinion that the pardoning power ought to be restricted beyond its present limitations, and that it would be wise to institute a board or commission of pardon, not for the purpose of wholly divesting the Executive of the prerogative of mercy, but rather to relieve him from an intolerable burden, and aid him in the discharge of a troublesome duty. Quoting again substantially from Dr. Lieber, as he has expressed

himself in the paper before referred to as having been published in a former report, the committee would say that a board of pardon ought to be so organized that the following points may be well secured, viz: That a careful investigation of each case take place before a pardon be granted: That the authority be sufficiently strong to resist importunity: That it be possessed of an adequate knowledge of the law, its bearing, and object: That it enjoy the full confidence of the community: That sessions be held at fixed periods, say twice or oftener each year: That certain and distinct grounds be stated in every petition for pardon, and that without such statement no petition, however numerous or respectably signed, be received: That pardon be granted by the Governor in no case but upon the recommendation of the board, but it must be granted if recommended a second time after the Governor has returned the first recommendation with his reasons against it: That no pardon be recommended without advertising, for an adequate time, the intention of such recommendation, in the county or counties where the convict lived previously to his imprisonment, and where he committed his crime: That no pardon be granted without informing the warden of the prison or prisons, in which the subject of the intended pardon is or has been incarcerated, of the intention of the board: And that the reasons of the pardon, when granted, be published.

The great objects to be aimed at in the exercise of the pardoning power can, it is believed, be secured by a board of pardon consisting of a proper number of members, say nine, two or three of whom should be judges learned in the law, to be appointed by the Senate on the nomination of the Governor, with a periodical partial renovation; the terms of one-third of the members expiring every three years.

Without some such guaranties as those indicated above, the pardoning power will always be liable to abuse. Importunity, personal or political influence, want of time for adequate investigation, and other causes will operate to the production of such liability.

The Executive, thus controlled, thus aided, thus shielded from importunities, ought undoubtedly to be still a party to the pardon, and the actual release should go through his hands.

Totally distinct, however, ought ever to be kept, in the public apprehension and estimation, the act of pardoning a real crimi-

nal, and the act of restoring a convicted man, whose innocence has been proved after conviction, as sometimes happens. It is monstrous to confound the acknowledgment of wrong committed by society against an innocent individual with the pardon of a guilty one. Nothing can be pardoned where there is nothing to pardon. The convict in such a case, does not stand in need of clemency, but is entitled to indemnity. Pardon and restitution are totally dissimilar in their nature; and the processes by which they are reached should be called by different names, and be provided for in a different manner. Some years ago, an innocent person sentenced for forgery in England to transportation either for life or for a very long period, was *pardoned* after several years' endurance of the sentence, and on a clear demonstration of his innocence. What a barbarous confusion, what a violation of all propriety and decency, what a mockery of justice, to give to the process of restoring such a person to his rights the name of pardon, which necessarily implies criminality! Some English papers, at the time, justly remarked how incongruous and self-contradictory a *pardon* is in such cases, where the real question is how an enormous wrong done by society to an unoffending individual may be, in some degree at least, repaired. This is an important subject of itself, and deserves the serious attention of all civilized States; but it does not fitly fall within the province of the pardoning power.

The State of New Jersey, it may be proper to mention in this connection, has incorporated a board of pardon into its penal system. The committee have learned, in general, that the plan has been found to work well there; but they are unable to give details.

9. REFORMATORY RESULTS.

a. Relapses and Re-Convictions.

The Rev. Mr. Luckey appears to have made the re-commitment of former inmates of the prison a subject of special inquiry. In this view, he has carefully investigated the records for some ten or twelve years, and the conclusion reached by his investigation is that the average number of recommitments is about twelve per cent. The facilities, however, for conducting a research of this kind are rather meagre, and the conclusions reached not as reliable as could be desired. It is an interesting inquiry, what measures can be adopted to ascertain, with at least a good degree of

certainty, the relapses and re-convictions of criminals in this and other States? The committee would suggest whether it would not be expedient to require the criminal courts of the State to keep a record of all ascertained re-convictions, and regularly to communicate copies of the same, signed by the clerk of the court, either to the Prison Association, or the Board of State Prison Inspectors, or the Secretary of State, or some other suitable authority. This or some similar plan, adopted in our own and other States, would secure and render available a kind of information, much desired by and highly useful to the student of crime and penal justice.

b. To what Extent the Prison Authorities have or may have Knowledge of the Convicts after their Discharge.

The facilities for keeping up a knowledge of the history of the convicts discharged from Sing Sing prison are unusually great, as many of their relatives live in the city of New York, and they are consequently seen or heard from often. The chaplain is very diligent in this regard. His tri-weekly visits of two days each to the city, noticed in a former part of this report, afford him extraordinary opportunities to ascertain how discharged convicts are getting on, and whether they are fulfilling the hopes that may have been conceived concerning them while they were in prison. He encourages the convicts to write to him after their discharge, and, as a consequence, receives scores of letters every year, from which he obtains important information in respect to their career after leaving prison. As an additional means of securing the desired information, Mr. L. is in the habit, as opportunity offers, of making inquiries of sheriffs, policemen, and other officers connected with the administration of penal justice. In these various ways, as well as through the Prison Association, a tolerably extensive acquaintance is kept up, on the part of the prison authorities, with convicts who have been discharged from the prison.

c. Evidences of Reformation exhibited by Convicts.

The interesting question arises here, what, so far as the reformation of prisoners is concerned, are the actual results of the penal discipline which they receive in this institution?

A primary object of prison discipline is the reformation of the convict. It is true that, until within a comparatively brief

period, the thought of *reforming* the violator of law hardly entered the mind of the most humane. The ban of society was upon him. Thrust away from the view of man, he was abandoned, as irreclaimable, to the mercy of fiends yet more wicked than himself. If this old theory were correct, a resort to hanging for all offences, whether great or small, would become the true policy of States. Happily, as the result of the efforts of modern philanthropy, this cold and repulsive theory has been exploded. What a contrast between the condition of prisons a hundred or even fifty years ago and now! The experience of these years has demonstrated the practicability of reformation even within the walls of a prison.

The question now before us is, what evidences have we of the reformation of convicts through the discipline established and applied in Sing Sing prison?

So far as relates to the convicts while still remaining in prison, we find the evidences of reformation, or at least of the reformatory influences brought to bear upon them, in their general submission and obedience to the prison rules; in the very small number punished for anything beyond the most trifling offences; in the contented and cheerful spirit manifested by the great majority of the convicts; in a general and growing desire to improve their minds by reading and study; in the wide and apparently heartfelt interest manifested in the religious instructions of the prison; in the increasing numbers who take out religious books from the library; in the interest with which the prayer meetings, male and female, are attended; in the number of convicts (not less than fifty,) who profess conversion, and many of whom give evidence that a true work of grace has been wrought in them; and in their own testimony concerning themselves, nearly all of those with whom the committee conversed having expressed a conviction that they had received benefit from their imprisonment, and that they have become better men since their incarceration than they were before it. We were assured by the officers that many who had formerly been master spirits of evil, men apparently past feeling, and therefore thought to be incapable of subjugation, except by physical force, have, by the gentle, silent, diffusive influence of the moral régime inaugurated by the present administration, been completely subdued, and are now among the most quiet, orderly and industrious of the convicts.

As regards convicts after their discharge from the prison, there are proofs of reformation in numerous cases. 1. The Prison Association has procured employment for nearly 3,000 discharged convicts, and as far as they have been able to trace their subsequent history, scarcely more than three per cent. of the number have ever returned to prison. The greater part of the remaining 97 per cent. have become industrious and upright citizens. 2. Diligent inquiries by the chaplain, covering a great number of years, go to establish the same conclusion. Mr. Luckey states that of 854 convicts, there were discharged in the course of these years, by death 74, by pardon 95, and by expiration of their sentences 685; he kept the track of 100 of these men, and was able at the end of three years to report them all to the board of Inspectors as doing well, and that the board might have it in their power to verify the correctness of his report, he appended the names and addresses of the whole number. A considerable portion of the 100 had become members of christian churches. Of the 95 who were pardoned, only four were returned to Sing Sing. The whole number who came back to prison was 43, about one in every 19, or a little over five per cent. Deducting the 74 who died, the 43 who came back, and the 100 who were known to be doing well, from the 854 discharged and there remain 637 to be accounted for. Mr. Luckey was of the opinion, for reasons satisfactory to his own mind, that at least one-half of these ought to be added to the list of the one hundred who were "doing well."

Upon the whole, though the reformatory results gained are far from being such as are earnestly to be desired, the committee are impressed with the conviction that enough has been accomplished in this direction to inspire the hearts of the benevolent with hope, and to impart renewed vigor to their efforts to achieve still greater triumphs in this hard, though certainly not wholly barren, field.

d. Reformation of Female Criminals.

The question of leading the convict back to the paths of honesty, after release from prison, is far more difficult as regards women, than it is concerning men. Indeed, the reform of women is altogether more difficult than that of men, because the loss of reputation is, for them, a heavier burden. The uniform testimony of the prison officials was that the female convicts at Sing

Sing are more degraded as a class, than those of the other sex, and less confidence is felt in, their professions of conversion or reformation.

The committee feel impelled, at this point, to remark that the whole spirit of the administration of penal law concerning women, or rather the application of criminal law to women, requires reform. The country swarms with female thieves, pickpockets, shoplifters, swindlers, pimps, seducers of poor girls, &c., &c. Yet, we hear of few women being tried, and fewer still being convicted, upon the principle, *degrading to the character of the woman*, that she is less responsible, and therefore less punishable, than the man.

IV. MISCELLANEOUS INQUIRIES.

1. NUMBER OF PRISONERS.

a. Number, October 1, 1863.

Men	837
Women	130

b. Number received during the Year.

Men	276
Women	76

c. Whole Number during the Year.

Men	1,245
Women	189

d. Greatest Number at any one Time.

Men	969
Women	187

e. Average Daily Number.

Men	904
Women	124

2. COMMITMENTS DURING THE YEAR.

a. Against Persons.

	Men.	Women.
Abduction of child	1	1
Assault and battery	1	1
do to harm	2	1
do to ravish	5	1
do with dangerous weapon	1	1

	Men.	Women.
Bigamy	10	3
Child stealing	--	1
Incest	1	--
Kidnapping	1	--
Murder	1	1
Manslaughter	1	8
do 2d degree	3	--
do 3d do	7	--
do 4th do	6	--
Perjury	--	1
Rape	5	--
Attempt at rape	1	--
Total	46	15

b. Against Property.

	Men.	Women.
Arson	10	1
Attempt at arson	--	1
Burglary	42	7
Attempt at burglary	8	--
Burglary and larceny	1	1
Embezzlement	2	--
Forgery	19	4
False pretence	2	--
Grand larceny	73	32
Attempt at larceny	23	--
Petit larceny, 2d offence	10	15
Making counterfeit coin	1	--
Passing do do	1	--
Total	192	61

c. Against Persons and Property.

	Men.
Assault on rob	2
Carrying slung shot	1
Robbery, 1st degree	9
Total	12

d. Against the Government.

	Men.
Desertion, mutiny, &c	24

e. Recapitulation.

	Men.	Women.
Crimes against persons	46	15
do do property	192	61
do do persons and property	12	--
do do the government	24	--
Total	274	76

3. DISCHARGED DURING THE YEAR.

a. By Expiration of Sentence.

Men	120
Women	22

b. By Pardon.

Men	28
Women	--

c. By Death.

Men	16
Women	1

d. By Order of Court.

Men	1
Women	1

Total, 165 men, 29 women.

4. AGE WHEN COMMITTED.

a. Under 20 years.

Men	30
Women	20

b. Between 20 and 25 years.

Men	99
Women	23

c. Between 25 and 30 years.

Men	60
Women	12

d. Between 30 and 35 years.

Men	28
Women	8

e. Between 35 and 40 years.

Men	29
Women	5

<i>f. Between 40 and 45 years.</i>		
Men	-----	13
Women	-----	6
<i>g. Between 45 and 50 years.</i>		
Men	-----	6
Women	-----	1
<i>h. Between 50 and 55 years.</i>		
Men	-----	5
Women	-----	1
<i>i. Between 55 and 60 years.</i>		
Men	-----	3
<i>j. Between 60 and 65 years.</i>		
Men	-----	1
Total, 274 men, 76 women.		

5. RACE.

<i>a. White.</i>		
Men	-----	253
Women	-----	69
<i>b. Colored.</i>		
Men	-----	21
Women	-----	7
Total 274 men, 76 women.		

6. NATIVITY.

<i>a. Natives.</i>		
Men	-----	149
Women	-----	35
<i>b. Foreigners.</i>		
Men	-----	125
Women	-----	41
Total, 274 men, 76 women.		

7. SOCIAL RELATIONS.

The committee desired to ascertain how many of the 250 convicts received during the year were unmarried, how many were married, and how many widowed. But as these particulars are recorded only on the discharge of the convict, they were unable to do so. They recommend that information upon these points be obtained and recorded on the reception instead of the discharge of prisoners.

8. EDUCATIONAL RELATIONS.

<i>a. Can read and write.</i>		
Men	-----	211
Women	-----	38
<i>b. Can read only.</i>		
Men	-----	26
Women	-----	19
<i>c. Cannot read.</i>		
Men	-----	37
Women	-----	19
Total, 274 men, 76 women.		

9. MORAL CONDITION.

<i>a. Temperate.</i>		
Men	-----	50
Women	-----	15
<i>b. Intemperate.</i>		
Men	-----	58
Women	-----	21
<i>c. Habitual Drinkers who claim to be Temperate.</i>		
Men	-----	166
Women	-----	40
Total, men, 274; women, 76.		

10. INDUSTRIAL RELATIONS.

The committee desired to ascertain how many of the convicts received during the year had been apprenticed in their youth, but left without serving out their time; how many had been apprenticed and served out their time; and how many had never been apprenticed at all. These questions are not put to convicts either on their admission or discharge, and, consequently, the desired information could not be obtained. We think it important that these items should be included in the interrogatories put to convicts, as the answers to them would throw light upon one of the sources of crime.

11. PURSUITS BEFORE CONVICTION.

<i>a. Men.</i>		
Axe maker	-----	1
Bakers	-----	3

Barbers	5
Bartenders	3
Basket makers	1
Bell hanger	2
Blacksmiths	7
Boatmen	2
Boat builders	1
Boiler maker	1
Book keeper	1
Brick maker	6
Butchers	4
Cabinet makers	5
Cartmen	11
Carpenters	1
Cigar maker	6
Clerks	2
Coachmen	1
Collector	6
Cooks	1
Cooper	1
Dyer	2
Engravers	3
Engineers	8
Farmers	2
File makers	2
Foundry men	1
Furrier	2
Gardeners	1
Gilder	1
Glass blower	9
Hatters	3
Harness makers	3
Hostlers	35
Laborers	1
Leather cutter	8
Machinists	7
Masons	1
Marble polisher	1
Merchant	3
Moulders	2
Musicians	2

Optician	1
Painter	1
Paper stainer	1
Paper seller	1
Pedlers	2
Porters	2
Plumber	1
Printers	4
Rope maker	1
Sailors	28
Sailmakers	2
Ship carpenter	1
Shoemakers	8
Silver polisher	1
Steward	1
Stage driver	1
Stone cutters	5
Tailors	12
Teamsters	3
Tinsmiths	3
Turner	1
Tool maker	1
Varnisher	1
Veterinary surgeon	1
Waiters	5
Weaver	1
Wool sorter	1
Without trade or occupation	15
Total	<u>274</u>

b. Women.

Bookfolders	2
Basket maker	1
Cooks	2
Doctress	1
Dress makers	3
Laborers	4
Milliners	2
Seamstresses	7
Servants or housekeepers	49

Sewing machine operator.....	1
Weaver.....	1
No trade or occupation.....	1
Not stated in book.....	2
Total.....	<u>76</u>

12. ORPHANAGE, &c.

Under this head the committee desired to ascertain how many convicts had lost both parents before they were fifteen years of age; how many had lost father, and how many had lost mother before that age, and how many had been in a work-house for juveniles. These points, however, are not made matters of record in the prison books, and therefore the information sought could not be obtained. Such information would be valuable as throwing light on the sources of crime. The committee recommend that interrogatories on these points be added to the questions now put to prisoners on their entrance into the prison.

13. CONVICTIONS AND RE-CONVICTIONS.

a. First Conviction.

Men.....	200
Women.....	72

b. Second Conviction.

Men.....	50
Women.....	4

c. Third Conviction.

Men.....	16
----------	----

d. Fourth Conviction.

Men.....	4
----------	---

e. Fifth Conviction.

Men.....	3
----------	---

f. Eighth Conviction.

Men.....	1
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Total, 274 men, and 76 women.

14. TERMS OF SENTENCE.

a. Average Length of Sentence for Crimes against Persons.

Men, 4 years, 1 month, and 21 days. Women, 2 years, 10 months, and 10 days.

b. Average Length of Sentence for Crimes against Property.

Men, 3 years and 18 days. Women, 2 years and 2 months.

15. EMPLOYMENTS OF THE CONVICTS.

a. Different Kinds of Labor.

The convicts are employed in quarrying stone, burning lime, doing farm work, improving the prison grounds, weaving, and making shoes, hats, augers, buckles, cabinet work, files, hames, shooks, tapestry, carpets, &c. Many are detailed for cooking, baking, washing, doing hall work, attending at the hospital, assisting the chaplain and other prison officials, carpentering, soap-boiling, painting, making clothes for convicts, and doing a variety of other needful "chores" about the prison. A goodly number are incapacitated for work by age, chronic diseases, blindness, maiming, crippling, &c. These are not kept locked up in their cells during the day, but are sent to different work-shops where they are subject to the surveillance of the keepers, and where they spend their time in reading, lounging, or any other manner they please, so they do but abstain from talking, and obey in other respects the rules of the prison.

b. Number of Convicts engaged in each.

On the 30th of September, there were engaged in doing contract work 597 prisoners; not on contracts, 240. The 597 contract laborers were distributed as follows: Hat contract, 121; shoe contract, 116; buckle contract, 87; auger contract, 75; cabinet contract, 67; file contract, 63; shook contract, 27; foundry contract, 24; hame contract, 13; weave contract, 4; tapestry contract, none. The 240 convicts not on contract work had the following allotments: Quarry and lime kiln, 35; wash-house, 26 (including many non-workers, aged, crippled, &c.); State tailoring, shoe-making, &c., 33; hall, 22; mess-room and kitchen, 26; making roads and other improvements, 15; jobbing shop, 25; yard, 9; hospital, 5; chaplain's office, 3; barber's shop, 2; keeper's mess-room, 2; storehouse, 2; guard-house, 2; chapel, 1; office, 1; waiters, 17; miscellaneous employments, 14.

c. Hours of Labor.

The hours of labor vary in different seasons of the year—ranging from 10½ hours to 8½. The average time of labor for the whole year is about 9½ hours. The time occupied in meals (except supper) and marchings is an hour and a quarter. The rest of the time is spent by the convicts in their own separate

cells. They never spend less than 12 hours in their cells, and from that up to 14½ hours.

d. Influence of different Employments on Health

The committee made inquiry as to the influence on health of the various kinds of labor in which the convicts are engaged, but they were unable to elicit any information upon this point. The attention of the physician had not been directed to it, and he had made no observations tending to throw light upon it. It would be well that some attention be given to this matter in the future.

c. Effect of Overwork on Health.

The inquiries of the committee in regard to the influence of overwork on the health of the prisoners were equally fruitless, and for the same reason. We suggest that attention be given to this subject also by the medical attendant.

16. OVERWORK.

a. Whether all Convicts are allowed to do Overwork.

Most of the contractors assign tasks to the convicts employed by them. Some of the men get through their tasks by noon, others by two o'clock P. M., others by three, and so on. The contractors are accustomed to employ such to do what is called "overwork," that is, a certain amount of work, be the same much or little, done over and above their regular tasks, and for which they receive pay. Not all convicts are allowed to do overwork, but only such as are designated by the contractors. The prison authorities have nothing to say in this matter. It is a thing wholly in the control of outsiders, who have no interest in the discipline of the prison or the reformation of the prisoners, only in making as much money out of them as they can. The proportion of convicts who are actually employed to do overwork is from one-half to three-fourths of the whole number engaged upon the contract. The discrimination thus made, as a matter of course, creates envy and jealousy among the prisoners, and in this way works much mischief.

b. Earnings of the Prisoners by Overwork.

The average earnings of convicts by overwork, so far as the same are deposited with the warden, amount to about \$500 per month, or \$6,000 a year. The pay given for overwork is at the

option of the contractor. Some of the contractors pay a reasonable price, others a mere pittance. In general the amount paid is small.

c. Disposition made of Earnings made by Overwork.

Before the accession of Mr. Hubbell to the wardenship, the money earned by overwork was partly paid to the prisoners, partly spent by agents of the contractors in buying luxuries for them, and partly remained in the hands of the contractors, till they should leave the prison, or make some other disposition of it. The account of this work was kept by the foremen employed by the contractors. In some instances, when the men were idle for a time, on account of the machinery or tools being out of order, the foreman would charge the time to the men, and deduct the same from the overwork account. Sometimes, if a foreman had any difficulty with a prisoner, he would destroy his pass-book, thus leaving no account of overwork at all; in which case there was no redress, and the sufferer could only pocket his loss. Sometimes, again, a contractor would fail, and then, as a matter of course, the money due for overwork was lost.

Finding this state of things on his accession to office, and thinking it highly injurious to the prisoners, Mr. Hubbell called the attention of the Inspectors to it. The board passed a resolution, ordering all moneys earned in this way to be paid to the agent and warden at the end of each month. Most of the contractors complied with this order at first; but after a while some of them went back to the old usage. A considerable amount, however, from this source, as already stated, continues to find its way to the warden's office. On the issuing of this order by the Inspectors, Mr. Hubbell opened a new ledger for convict deposits, where these accounts are kept by themselves. There are now nearly 400 accounts opened with convicts for overwork. The money accruing from this source is deposited every month with the State Treasurer; and, if it is of any considerable amount, the convict is allowed six per cent. interest on it. This plan insures prisoners against all loss of their money, and is perfectly satisfactory to them.

All convicts, then, are required to deposit their earnings monthly with the warden; and, as a matter of course, contractors are required to pay over all moneys due on this account, that the prisoners may be able to comply with the order. But this

rule is often overstepped by the contractors. Cash is paid to some favorite or very useful men; but the majority of those whose earnings are not placed in the warden's custody, receive, instead of money, tobacco, coffee, tea, sugar, butter, cheese, and other like gratifications. This, however, must be done "on the sly," for the contractors, many of whom have stocks of groceries and the like on hand, are prohibited from indulging the convicts in this way; to which prohibition, however, little attention seems to be paid by some, since they or their agents sell these commodities to the convicts at a profit often of 100 per cent.

The prisoners have no command over their private earnings deposited with the warden, except as they receive permission from that officer to dispose of them; otherwise they are kept till their discharge, and given to them then. They are allowed to purchase books with their money when they desire so to do, and this is not an uncommon use of their funds. They are also permitted, and even encouraged, to send their earnings to their families. It happens not unfrequently, that convicts have come to the relief of former fellow prisoners or their families, when in distress, by aiding them pecuniarily with part of their earnings from overwork. If this report had not been already drawn out to an undue length, the committee might relate many interesting instances of such sympathy and assistance.

It may be asked, "What about prisoners for life? are they also anxious to earn money by overwork, seeing that, by the terms of their sentence, they can never emerge from their prison-house?" Yes, they are no less anxious than others, since they all, or nearly all, hope for a pardon, and, as it would seem, upon pretty good ground, considering that the average of imprisonment of life men does not exceed seven years.

d. Whether it is wise to permit Overwork.

The question naturally arises here, "Is the system of overwork a wise one?" Under proper restrictions and regulations, we should say that it is wise, and might be made very useful. Used as a means of reward for good conduct, it might be rendered conducive to discipline and reformation. As at present conducted, it is doubtful whether it is not productive of more evil than good. Evidently, overwork needs to be reduced to a more perfect system.

17. REVENUES AND EXPENSES.

(1.) MALE PRISON.

a. Revenues.

Earnings of male convicts by contract labor.....	\$63,899 35
Products of farm.....	1,530 00
Value of pork made from offal of prison.....	1,470 00
Miscellaneous earnings of male convicts.....	19,124 99
Total earnings of male convicts.....	<u>\$86,024 34</u>

(2.) FEMALE PRISON.

Contract earnings of female convicts.....	<u>\$2,164 61</u>
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(1.) MALE PRISON.

b. Expenses.

Officers' salaries.....	\$46,888 80
Convicts' rations.....	42,218 20
Clothing and bedding for convicts.....	18,432 10
Oil and fuel.....	6,154 99
Building and repairs.....	5,035 69
Mileage and allowance.....	1,564 48
Hospital expenses.....	1,053 25
Stationery.....	678 17
Hay and grain.....	551 74
Furniture.....	325 12
Miscellaneous.....	5,289 04
Total expenses of male prison.....	<u>\$128,191 58</u>

(2.) FEMALE PRISON.

Officers' salaries.....	\$5,361 68
Ordinary support.....	9,003 18
Building and repairs.....	666 39
Total expenses of female prison.....	<u>\$15,031 25</u>

From the above figures we appear to have the following results: Total income of the male prison, \$86,024.34; total expenses of the male prison, \$128,191.58; leaving a deficit to be supplied from general taxation of \$39,167.24. Total income of

the female prison, \$2,164.61; total expenses of the female prison, \$15,031.25; deficit, \$12,866.64.

But there are elements, in both cases, which do not appear upon the surface; and the apparent results are too unfavorable to the male prison and too favorable to the female. The work done by the male convicts for the State, the value of which is, nevertheless, equal to so much cash, probably amounts to \$10,000. Then there are purchases common to both prisons, but charged to the expenses of the male prison alone, the due proportion of which for the female prison could not be less than \$5,000. By adding (as ought in fairness to be done) the \$10,000 to the income, and subtracting the \$5,000 from the expenditures, we get an excess of expenses over revenue of only \$24,167.24, instead of \$39,167.24. Again, the work done by the female convicts for the prison, and not credited, probably amounted in value to at least \$3,000. Adding this to the income of the female prison, and the \$5,000 (an element common to both accounts, but in directly opposite relations) to the expenditures, we have an excess of expenses over revenue of \$14,866.64, instead of \$12,866.64.

18. CONTRACT SYSTEM.

a. *What is the Contract System?*

The scheme of convict labor, which has received the name of the contract system, consists in letting out the labor of the convicts to certain individuals—contractors—who hire it at so much per day. Generally, the rates are low; at present, they are considerably in advance of ordinary times, ranging from 40 to 45 cents; and the Inspectors have been offered as high as 50 cents a day for 50 men for the next year.

The mode of farming out the convict labor is the following: Contracts are let either for one year or five years, at the discretion of the Board of Inspectors, in whom are centred all the powers of the prison. For one year contracts can be let without the formality of advertising; for a longer period the letting must be advertised in one paper in every city in the State once a week for four weeks. The Board of Inspectors determine who shall have the contract. It then becomes the duty of the agent and warden to have the contract drawn in accordance with principles laid down in the law, subject, of course, to the approval of the Inspectors.

b. *Rights of the Contractors.*

Certain rights or privileges are secured to the contractors, the chief of which are as follows: 1. The shop room and yard room to be granted them, are designated in the advertisement, and the use of the same, free of rent, is secured to them in the contract. 2. Suitable stoves and pipes for warming the shops are provided for their use without charge. 3. They are entitled to introduce, as agents and foremen, a suitable number of citizens; but are not allowed to bring in citizens as laborers. 4. They may put up all the necessary machinery for carrying on their business. 5. The contractors and their agents and foremen have the right of entrance into the prison at their pleasure, subject to the rules and regulations of the place. The number of outsiders, to whom is thus secured the free *entree* to the prison premises is at present from 40 to 50.

c. *Contracts now in Existence.*

There are, at the present time, ten contracts in existence in the prison. These are for making shooks, files, augers, shoes, cabinet work, hats, woolen cloth, and harness; and for casting harness and carriage hardware, and finishing buckles and carriage and harness trimmings. The number of hands employed upon these several contracts varies from 25 to nearly 200, the average number being about 70. From these statements some idea may be formed of the extent to which manufacturing operations are carried on within these prison walls.

d. *Aggregate Value of manufactured Articles, and net Profits on each Contract.*

The committee endeavored to ascertain the total value of the goods manufactured under each of the contracts specified in the preceding paragraph, and also the net profits arising from the same. They are sorry to be obliged to record the failure of the attempt.

e. *Character and Influence of the Contract System.*

What is the character, and what the effect, of the contract system? What influence has it upon the discipline of the prison? What on the intellectual and moral improvement of the prisoners? And what on their preparation for a return to civil life, when their imprisonment is over?

These are grave questions, and the committee will endeavor, according to the best lights in their possession, to return a candid answer to them.

The contractors have no interest in the maintenance of discipline, *per se*, none in the reformation of the prisoners, and none in their preparation for a return to civil life. Their interest as contractors and the interest of the prison as a penal and reformatory institution not only do not run in parallel lines, but they are repellent and antagonistic. The contractors, as contractors, see in the convicts only so many implements, such an amount of machinery, for making money. The interests of discipline, opportunities for moral reformation on the part of the convicts, agencies to facilitate a return to virtue on their discharge,—these things do not enter into their calculation. Their influence, both with Inspectors and prison officers, seems all-powerful; their will appears to be, to a great extent, law. Any suggestions of changes to be made with a view to secure more time and greater facilities for the mental, moral, industrial, or religious improvement of the prisoners are apt to be met with the objection, "What would the contractors say to such a measure? would the contractors give their assent? would not the contractors object?"—showing how controlling is the power they exercise over the arrangements and government of the prison.

The testimony of the principal officers of Sing Sing prison is, that the influence of the contract system on the discipline of the institution is injurious. They say that if the outsiders introduced into the prison as agents and foremen were all good men, as a portion of them happily are, the case would be different; but that, as the matter stands now, their influence is anything but favorable. These men, with honorable exceptions, are an endless source of anxiety and trouble. It is not an uncommon case that the warden is obliged to forbid them the prison premises, and insist that their places be filled by other and worthier persons.

It has already been stated how common it is for contractors and their agents to sell contraband articles to the convicts at an enormous profit, thus directly encouraging and teaching a violation of law. And this is a great stimulus to other trafficking in the prison. Trafficking, though contrary to the rules, is extensively carried on among the convicts. Every shop affords means of traffic, however insignificant. Each convict feels himself in need of many things. Groceries and tobacco are the articles most in de-

mand; but obscene books and whisky are also sometimes furnished. For these things, are bartered fancy boxes, rings of gutta percha inlaid with silver, carved figures, books received from outside, and a great many other small matters, too numerous to mention. There is not much traffic with the outside world, except what passes through the hands of contractors, their agents, or their foremen, by whom a great many letters are secretly introduced and taken out.

Another abuse arising under the contract system is the following: A convict, suffering under some chronic complaint, not severe enough to deprive him of all strength to labor, is sent by his keeper to the physician. If convinced of his illness and his incapacity to do full work, the doctor informs the keeper of the fact, and it is understood that only half a day's work is to be exacted from him each day. Of course, the contractor, in whose shop the invalid happens to be, is required to pay to the State only half the wages of a well man. And yet there have been cases not a few, where such convicts have been compelled to do a whole day's work between each rising and setting sun, for which, however, the contractor paid to the State the price of only a half day's work. Each reader can characterize this abuse for himself. It looks very much like swindling the State, oppressing the convict, and cheating the physician in one and the same act.

A further abuse is chargeable on the contract system. The earnings of the convicts by overwork has already been explained. It has happened that convicts on their discharge, have been swindled out of these hard earnings through the flat denial of indebtedness by contractors or their agents. This can be easily done, where the disposition exists, since the word of a convict is entitled to no credit as against a citizen.

Besides the grave abuses detailed above, the contract system, at least as it is at present organized and practiced, is antagonistic to the spiritual interests and the moral and mental improvement, that is, to the reformation of convicts, and of course contrary to the best welfare of the State, so far as that welfare is dependant upon the administration of penal justice. If it is proposed to have more time devoted to religious exercises, for example, by instituting daily prayers and a religious lecture on some week day, the proposal is at once met by the objection. "The contractors would not agree to such an arrangement." If, again, the suggestion is made to replace the present wretched system of instruction, which is little better than a mockery, with

a system more rational and effective, but which would consume an hour of sunlight each day, the same objection is at once urged: "The contractors would not consent to such an abridgement of the convict's toil."

A further objection to the contract system is, that it is at war with any special preparation of the convict for an honorable and useful return to civil life. A fruitful source of crime and the remote cause of many a man being in the prison at all, as stated in a previous paragraph of this report, is the want of a business, a trade, some regular means of earning an honest livelihood. Now, every one will admit that, if at all practicable, it is highly desirable that this lack should be supplied to the criminal while undergoing his imprisonment, so that on his discharge, there may be at least one cause less impelling him to crime. But the contract system not only does not aid, but on the contrary, actually hinders such a result. Let us explain—a convict, on entering the prison is put to work; it often happens that little attention is paid to his former occupation, if he had one; the great point is to supply the contractors with workmen. He must learn, if he did not happen to have previously made himself acquainted with the work allotted to him, and woe be to him if he fails to learn quickly, or if he spoils work, for the contractor's loss or gain being the thing in question, he must work and acquit himself well, or he will be reported as a man who "don't want to work," whereupon punishment will immediately ensue. It is supposed, and often said, by persons unacquainted with the operation of the contract system, that many a convict, who, not having learned a trade, had previously led a vagabond life, was, when imprisoned here, placed in a position to acquire the mechanical knowledge necessary for a future honest maintenance. But this, as it respects the great majority of the convicts, is an error, since most of them being occupied in factory work, learn only one of the many branches of the same, which, when released, they will have no opportunity to exercise, except in parts where similar factories exist.

An additional objection to the contract system is its antagonism to the pecuniary interests of the State. Large profits, accruing from prison labor, now go into the pockets of contractors. Under a wisely organized system of State prison labor, why might not these profits be made to swell the assets of the prison, instead of enriching private citizens? The contractors employ

agents and foremen, to whom they pay good salaries, and they can well afford to do so. Why then, might not the State employ similar officers for the management of the same or equally productive labor, and so not only defray all expenses, but gain an annual surplus, which surplus, we would suggest, might constitute a fund which, under a suitable scheme of distribution, might be made a powerful stimulus to good conduct on the part of convicts? Under the existing system, if business is stagnant and money is lost by contractors, they immediately suspend payment and apply to the Legislature for relief, and the State generally assumes and bears the loss. Over \$80,000 have thus been remitted to contractors within the last three years. If, on the other hand, business is prosperous and money is made, the contractor pockets the profits, and the State must be content with the *per diem* of 30 or 40 cents, for the labor of the convicts. But let the State buy its own stock, work the convicts on its own account, and sell the goods produced at such times and in such ways as may be found most advantageous. Then, in dull times, the State can hold the goods, or sell them at a sacrifice if thought desirable to be rid of them; and when business is brisk, an advance in prices can be secured to the advantage of the State. Such a rule would affect the interest of the State both ways; but, at present, the State must bear, or, in its good nature, does bear, all the loss, while it can share in none of the gains.

The contract system was formerly in vogue in the English prisons; but, on account of the abuses to which it led, it has been abolished by act of parliament. Convict labor there is now managed on account of the State. The present system is found to work better than that which it has replaced, both as it respects the reformation of the prisoners and the pecuniary interests of the public. Every warder (or keeper) in the prisons is required to be a practical mechanic. The same system prevails, and, we believe, always has prevailed, in the State prisons of Pennsylvania. There are no contractors there, but the work done by the convicts is all done on State account. Each overseer (keeper) in those prisons must be a skilled mechanic, as he is required to superintend the industrial education and mechanical labor of the prisoners under his care. The goods manufactured in the prisons meet with a ready sale at fair prices, and the system is found to be, in all respects, a satisfactory one. The same system is, in part, pursued in the Monroe county penitentiary, in this State. There is but one contract in existence there.

All the rest of the work is done on account of the prison, and is found extremely profitable. That institution earns, annually, a large net profit for the county.

It would be useless to attempt a system of the kind here suggested, unless the prisons can be freed from partizan control, their executive administration rendered measurably permanent, and citizens of the highest ability and integrity placed at the head of them. Unless these conditions can be met, let there be no attempt to introduce a new scheme of convict labor, but let us get along, as best we may, under the old system, with all its imperfections, and with its extreme liability to abuse. Something may still be done to improve it. Let a proper system of religious services, secular instruction and overwork be established, such as may be thought best adapted to secure the great ends of reformation and a return to virtuous and honorable industry, and then let the contracts be let, subject to the restrictions required in carrying out the said system.

It is sometimes objected to the contract system, that it introduces into the social organization an unjust and injurious competition with honest mechanical and manufacturing labor. The committee can see nothing in the objection. They believe that the products of labor in prisons, thrown into the general mass of merchandise, interfere with the mechanical and manufacturing interests of the country about as much as the abstraction of a single bucket of water from the Hudson river interferes with the navigation of that stream.

19. *Salaries of Officers.*

The committee are of the opinion, that all the salaries in this prison are too low for the present times, whatever they may have been when the expenses of living were cheaper. Competent men cannot be obtained, in sufficient numbers, at existing rates. Let a single fact be mentioned confirmatory of this view. During the past year, not less than ten or twelve persons, appointed to office in the prison, have declined the appointment after learning the cost of living, salary, duties, &c. Particularly, the salary of the chief officer should be such as to command the best talent of the State. The responsibilities of the position are great, and its duties such as to require the highest order of administrative ability, as well as an incorruptible integrity.

All of which is respectfully submitted.

A. B. CONGER, JNO. H. GRISCOM,
E. C. WINES, *Committee.*

I have been able to make only a partial examination of the subjects referred to in the foregoing report; but on reading the report, I can say, as a member of the committee, that I concur in the great majority of the criticisms and recommendations contained in it, particularly in what is said in reference to greater permanency in the executive administration of our prisons.

NEW YORK, Dec. 1863.

JOHN T. HOFFMAN.

2. CLINTON PRISON.

The committee appointed by the Prison Association, in pursuance of the provisions of their charter, to inspect the Clinton State prison in Dannemora, Clinton county, offer the following

REPORT:

The committee met at the prison on Saturday, the first day of August, 1863, and commenced the examination, which was continued to Wednesday the 5th inst., when it was completed.

The committee regret that one of their number, the Rev. Dr. Owen—through no fault of his, but owing to a change in the time of examination—was absent. The lack of Dr. Owen's service was very satisfactorily supplied by the Hon. Senator Jas. A. Bell, of Jefferson county, who, happening to be at the prison, rendered us essential assistance in our investigations.

Statistics.

The full statistics of the prison will be presented in the report of the Prison Inspectors. We, therefore, will only say, under this head, that the number of prisoners at the time of our visit was four hundred and eight.

Officers and their Duties.

The officers, who are concerned in the administration of the government and discipline of the Clinton State prison, are the agent and warden, the principal keeper, seventeen subordinate keepers, and twenty-five guards.

The agent and warden is the responsible head of the institution, both in respect of its financial affairs and its government.

To the principal keeper are committed the immediate superintendence of the industries of the prison and the exercise of its discipline.

Of the underkeepers, sixteen are distributed during the day through the various workshops, each being charged with the oversight of a certain number of men, and the enforcement, with respect to them, of the rules and regulations of the prison; and one keeps watch and ward at night in the great hall where the cells are located.

Nine members of the guard are on duty through the day at the guard-posts, which are distributed at suitable distances along the exterior enclosure; two are on duty at night in the hall with the keeper; two traverse the prison grounds throughout the night to watch against fires and other alarms; one stands sentinel over the kitchen, and has charge of the prison keys; and the remainder act as reliefs to the keepers when they go to dinner, or are otherwise occasionally absent, accompany visitors through the prison, and relieve their fellows on duty at the guard-posts, that these latter may have the opportunity to get their mid-day meal. Each guard on duty is armed with two rifles and a revolver.

Punishments.

The several punishments employed in this prison are: The iron cap; the dark cell, with bread and water once a day; the shower bath (used only in the presence of the physician and subject to his judgment); shaving the head; the ball and chain, and a punishment called the "buck." This last consists in tying the wrists together, then bringing the hands thus bound down in front of the knees, passing a stout stick between the legs and arms in such a way as to double up and bind the body, as it were, together, and suspending it by placing the ends of the stick upon two chairs. The body is thus brought into a horizontal position, and the head will either hang down or must be held up by the sole force of the muscles of the neck. This is, to say the least of it, a very severe punishment; and, if protracted for any great length of time, can scarcely be regarded as otherwise than cruel. The iron cap is used for minor offences, and is indeed rather an instrument of shame than punishment—no suffering whatever being inflicted by it. The quantity of water used in a single showering, according to the testimony of the officers and the register of punishments submitted to our inspection, is not great. Shaving the head is sometimes combined with the punishment of the bath or the dark cell, and is occasionally used by itself.

Its use is, ordinarily at least, restricted to cases where there has been an indulgence and exhibition of intense passion on the part of the convict. The hamper by ball and chain is used commonly in combination with other punishments, and in cases where the prisoner has either attempted to escape, or there is ground to apprehend that he meditates an attempt. The buck is said to be very seldom used, and only in very bad cases. On looking over the minutes of the Inspectors, it was found that they had expressly prohibited this mode of punishment, and that the new principal keeper employed it in a very aggravated case before he was made aware of the prohibition. At the present time the rule of the Inspectors is well understood, and there will be no more of this punishment hereafter.

Things seem to move on here, in the main, quietly and smoothly, and with as little friction as is possible in such a community. The number of the punishments inflicted is few, and their character mild, when the sort of people to be governed and kept in order is taken into consideration.

During the administration of the present principal keeper, Mr. A. B. Wood—a period of eight months—only forty-two punishments, of a grade above the iron cap, have been inflicted, viz.: the buck twice; shaving the head once; shower-bath and shaving the head, 7 times; showering, 22 times; dark cell 6 times; dark cell and showering combined, 4 times. In one instance, the punishment was by dark cell, shaving the head, and the ball and chain all united. The quantity of water administered in the above punishments varied from a single bucket to three barrels; the latter quantity, however, only once. Generally the record states the quantity at a barrel or half a barrel. The time of confinement to the dark cell with short allowance, varied from one day to five days. Of the forty-two punishments inflicted during Mr. Wood's administration, twenty-nine were in the first four months; of course, there have been but thirteen during the last four months. This shows a great diminution in the number of punishments, and would indicate that the discipline is increasing both in mildness and efficiency at the same time. The present principal keeper seems to the committee to be an uncommonly discreet and judicious officer. Indeed, the impression made upon the committee in regard to all the officers concerned in the administration of discipline, from the agent and warden down, was in the highest degree favorable. They are Christian gentle-

men. They work harmoniously together. They have human sympathies. They look upon the convicts as men, still having the feelings of men, and, though fallen and guilty, susceptible of being influenced, at least in no considerable degree, when rightly approached and addressed, by the same motives that move and control other men. They believe that love and kindness are a mightier power than mere brute force; and that moral suasion, lightly as it is esteemed by some, when judiciously and skilfully applied, will accomplish more with most men than terror, besides, at the same time, accomplishing it far better. On this principle they act in their official capacity; on this principle the discipline of Clinton prison seems to be, in the main, conducted at the present time. Upon the whole, the committee cannot withhold an expression of the opinion that the DISCIPLINE, properly so called, appears to them to be as wise and efficient as perhaps it is possible to make it in an institution of this kind.

The effect of punishment, according to the testimony of the officers, varies somewhat according to the temperament of the subject. The influence is reported as in general softening and salutary. In one instance only has it been found by Mr. Wood to render the person who received it (dark cell), sour and sullen.

The committee have spoken, in a preceding paragraph, of the quiet and peaceful character of the population in this prison. The usual calm prevailing here was rudely broken on the 10th of January last. The authorities have evidence to believe that a conspiracy had been formed by a few desperate men in one of the workshops, to murder a sufficient number of the officers to get control of the prison, and set the prisoners at liberty. One of this gang had provided himself with a knife. On the evening of the day named above, after the "all right" bell had been rung, the principal keeper was informed that a convict, by the name of John Gillon, who was confined in a dark cell, had a knife concealed on his person. Mr. Wood went to his cell, unlocked the door, and told him to come out. Gillon refused, and swore he would have Mr. Wood's heart's blood, if he came out. The prisoner was again locked in, and Mr. W. went and got the sergeant of the guard, with the hook, to bring him out by force. Upon the opening of the cell, he rushed upon the keeper with his knife, and at the same time assaulted the superintendent of the kitchen, Mr. Cate, and made a gash upon his person with the

knife. Mr. Wood then fired upon him with his revolver, hitting him in the shoulder. Thereupon Gillon effected an escape, and Mr. W. gave large pistols to Messrs. Fairbank and Brayman, underkeepers, and told them if he would surrender, to save his life. These gentlemen ordered him to lay down his weapon. This he not only refused to do, but made violent demonstrations towards Mr. Brayman, who thereupon fired his pistol. The ball hit him in the mouth, inflicting a wound from which he soon after died. The crime of which Gillon had been convicted was "assault and battery, with intent to kill." The coroner's jury, who held an inquest over the body, brought in a verdict which fully justified the act of killing.

This affair, though melancholy in itself, has had a happy effect upon the prison. The convicts had an impression that the keepers dared not put one of their number to death, whatever the provocation might be. The killing of Gillon, who had made a most deadly and unprovoked attack upon his keepers, effectually put this illusion to flight. The effect has been to infuse a salutary dread into the minds of the whole prison community, and a quietness and obedience, as remarkable as it is pleasant, has ever since pervaded the whole atmosphere of the institution.

Much disapprobation has been manifested in some quarters, at the use of the shower bath as a means of punishment, and a desire has been expressed to recur to the lash as the most powerful, as well as the most humane method of enforcing the discipline of the prison. Several cases where injury and even death has occurred from the use, or rather the misuse, of the shower bath in other prisons, have been made known to us, although we have not been able to trace any serious injury from its application in this prison.

We are, however, unanimously of opinion that a recurrence to the old system of the cat would be a retrograde movement towards barbarism, which could not fail to be attended with the most injurious results, both to the keepers and convicts, and to the character of the State.

It is well known that there are certain idiosyncrasies and latent tendencies to disease, especially of the pulmonary and cardiac organs, which contra-indicate the use of the shower bath. These are easily ascertainable by a competent physician, and we would therefore recommend that this mode of punishment be strictly forbidden either by resolution of the Inspectors, or by

Shower-bath

law, in all cases where an examination of the subject has not been had by a physician, and a certificate given that the punishment can be administered without injury to the health.

In cases where no such objection exists, we desire to record our opinion most emphatically, that, where the offence to be punished has been committed under the influence of angry passions, there is no form of punishment so well calculated to subdue the passions and to calm the excited feelings, as the shower bath. All the facts of physiology and pathology point to this conclusion, and all the facts of experience confirm it.

Some of the members of your committee have had many opportunities of seeing the operation of the punishment by cat in our prisons previous to the year 1847, when its use was prohibited by law, and the result of such observation has satisfied us, that the prohibition by the law of 1847 was founded in wisdom and humanity. Many prisoners, before its passage, were killed outright by the cat, many more were injured for life, and many were driven into hopeless insanity. No one who has seen the outrages, which we have seen from its use, would ever advocate its restoration. The contrast between punishment by the cat and by the shower bath on the temper of the officer who administers it, is well known to prison officials, although the philosophy of the effect is perhaps somewhat difficult to explain. In the former case the temper of the administrator becomes excited as the punishment proceeds, so that the number of blows actually administered is almost always greater than was first intended, and the last blows are given with more violence than the first; whatever pity was at first felt for the offender is almost sure to evaporate after striking the first blow. It is exactly the reverse with the shower bath. Even if the officer is angry at the beginning of the punishment, his temper is cooled by the sight of the water as it falls on the naked culprit, and the amount of punishment is generally less than was first intended. This practical effect of the two systems, which is almost invariable, is of itself sufficient to determine us in favor of the shower bath in preference to the cat.

We also desire to express our approbation of the dark cell (with or without privation of food and bedding as the case may be,) as a means of punishment. As the shower bath is adapted to cases arising out of passion, so is the dark cell most admirably adapted to those transgressions arising from the obstinate action

of a depraved will. We have never yet known a case where a dark cell and privation of food failed to subdue the strongest will in a comparatively short period of time.

This punishment is most effectual where the least is said or done by the keeper. It should be prefaced with no threats or promises, and if possible, by no personal violence; if any is absolutely needed, let as little as possible be used, and that little be exerted slowly and calmly. When once within the cell, he should not be spoken to by any one, but left to feel that he is not in conflict with human caprice or passion, but with an irresistible fate. Under these circumstances, his will will be subdued, he will cry for mercy, and the impression will be lasting.

We were surprised to find that there was not a single gag within the walls of the prison, and that the experience of the officers did not admonish them of the necessity for one. We think that sooner or later this necessity will be felt. The experience of other prisons shows that some men, when first confined in the dark cell, will make so much noise as to keep all in their vicinity from sleeping; and others will sometimes shout at nights and greatly disturb the order of the prison. For this kind of insubordination, the gag is a most useful and unobjectionable remedy.

Among modes of minor punishment, which are found useful in other prisons, but which do not seem to be resorted to here, are privation of food or bedding; prohibition of correspondence with friends for a time; the withholding of tobacco, which is a very powerful means of discipline; increase of task work, and deprivation of the privileges of the library. We are of opinion that a resort to some or all of these modes of punishment would be found beneficial at Clinton.

Rewards.

The committee have expressed—and very cordially—their conviction of the excellence of the discipline in this prison. They now desire to express a conviction equally clear and decided, that in this, as well as the other prisons of the State, there is a material deficiency; the absence of a reformatory element, which, if once introduced and wisely managed, might be made very powerful for good. There is no regular system of REWARDS in any of our State prisons to encourage prisoners in well-doing, other than the slight abbreviation of the term of sentence provided for by a law recently enacted as a consequence of the fidelity and good

Shower in

Dark cell

behavior of the convict. Incidental rewards for good conduct, in the way of little indulgences, are sometimes bestowed upon prisoners. For instance, if a convict asks the privilege of writing an extra letter, or of receiving from the contractors an extra paper of tobacco, or any other like small gratification, Mr. Wood is in the habit of saying to him: "Have you earned this indulgence? Has your conduct been such as to merit this favor?" If the prisoner's behavior has been unexceptionable, and the answer consequently can be truly made in the affirmative, he is accustomed to grant the indulgence asked; if not, not. This is well understood by the prisoners, and has its effect in securing an observance of the prison rules on the part of the convict. The privilege of doing over-work and of receiving and appropriating the avails of it, if extended to all the prisoners alike, might be made an effective instrument in their government and reformation. This indulgence, however, so far as this prison is concerned, is now granted arbitrarily by the contractors only to certain convicts whom they may name, while all the rest are as arbitrarily denied the opportunity of earning anything for themselves, whatever time they may have, or however strong their disposition may be, for so doing. Thus that which might be made an agent for good to all, though, as at present managed, it inures to the benefit of the few, becomes a source of irritation, jealousy, and heart-burning to the many; and its influence upon the discipline is injurious rather than beneficial.

It is to be regretted, the committee think, that the stimulus to good conduct afforded by the hope of benefit to be secured by it, is not more extensively used in our prisons. From a judicious system of rewards, abbreviation of punishments, and probationary experiments, established in a wise conformity to the methods of the divine Providence, the happiest results, as it seems to the committee, might be reasonably anticipated, both as it respects the maintenance of discipline in the prisons and the permanent reformation of the prisoners.

Your committee were deeply impressed with the excellent working of the law recently enacted, by virtue of which good conduct in the prison works a diminution of the length of the sentence; its effect so far, has been most happy, and fully vindicates the wisdom of the Legislature which made the change. We are not at present prepared to advise any amendment of the law,

but our experience leads us to believe that ere long its principle may be judiciously extended.

Classification.

No classification of the convicts is attempted in this prison, other than that which results from considerations relating to the adaptations and productiveness of their labor. We do not think that a full and complete classification can be effected in a prison constructed on the plan of this, while the prisoners are subjected to contract labor, but a vast and much required improvement would be effected by an obedience to §44 of article I, of title II, chap. 460 of the Session Laws of 1847, which hitherto has remained a dead letter upon the statute book. By this section the Inspectors are required to erect five cells at Clinton prison, each of which shall contain nine hundred ninety-six cubic feet in the clear, for the solitary confinement of a vicious, dangerous, and irreclaimable class of offenders, who are to be confined in such cells at hard labor for such time and under such regulations as the board of Inspectors may prescribe.

There are now confined in the prison seven murderers, some of them have had their sentences commuted to imprisonment for life, others having been sentenced to death are awaiting the Governor's warrant for their execution; two of the latter class were convicted for murdering their keeper. It is obvious that the laws have no terrors in store for this class of prisoners. They have already exhausted all their power in dooming them to die. Such men should be placed so that it is impossible for them to do any harm. Justice to the keepers, as well as to the other convicts, requires that such men should be so restrained that they cannot by any possibility commit any further assaults on the lives of their fellow men.

There is another class of convicts for whom such cells should be provided. There are many things prohibited in a prison, not because they are bad in themselves, but because, if allowed, the privilege might be abused by bad men. Some of the most annoying and irritating of these restraints might be removed with perfect safety, were three or four mischievous and ingenious men removed from the body of the prisoners. The multiplication of offences, which are merely *mala prohibita*, is always injurious to good discipline, and to the reformation of offenders. The erection of these cells, and the incarceration of the dangerous men

within them, would very greatly reduce this class of offences, increase the comfort and security of the officers, and materially promote all the objects of prison discipline.

Religious Instruction.

There are various indirect influences operating upon the prisoners, which are found to exert a favorable effect upon the discipline and good order of the prison. These are the religious services of the Lord's day, the lessons of the Sabbath school, the personal conversations and counsels of the chaplain, the use of the prison library, and the instructions of the two secular teachers. These last named gentlemen spend, each, an hour and a half daily, in passing from cell to cell, and in giving lessons in reading and other elementary branches of learning, to such of the convicts as need their services. So marked and decided is the influence for good of these Sabbath services, that the principal keeper assured us that fewer violations of prison rules occur, and more good feeling and good order prevail, during the first three working days of the week, than the last three. The committee are convinced that the happiest influence would be exerted upon the convicts by a short daily religious exercise—not to exceed from five to ten minutes—of reading the Scriptures and prayer, and, if such a thing be practicable, a brief religious lecture in the middle of the week. The contractor in the department of the iron manufacture is at present in Chicago, and the committee could not, therefore, see him; but the contractor in the shoe department, Mr. J. C. Wood, very promptly and cordially gave his assent to either or both of these arrangements. The committee have a strong hope that increased religious influences may soon, in the way suggested above, be brought to bear upon the convicts in this prison. They cannot, in terms too emphatic, express their sense of the value and importance of the Christian element as a disciplinary and reformatory agency. They have an intimate and earnest conviction that on the basis of religion alone can any permanently successful system of prison discipline and prison reform be founded. They fully concur in the opinion expressed by the gentlemen composing the board of prison inspectors for the Canadas, that “at every step of the three roads that conduct men to misery and death—sickness, madness, crime—one only solace is capable of soothing

the torments of the way; and this is religion, a blessing for time and for eternity.”

The Rev. Russell Pettibone has for nine years filled the office of chaplain in this prison. The officers and prisoners all spoke of him as a wise, devoted, and most acceptable laborer in the vineyard of his master, and, from the opportunities of observations afforded us, we heartily concurred in their conclusions. A few days after our departure, this faithful servant was suddenly called from works to rewards. We lament the loss of one who was so well qualified to deal with these children of sin and sorrow; his heart was touched with a feeling of their infirmities and his sympathies, his intelligent and well directed labors and earnest prayers, were exerted, not without a good measure of success, for their instruction and reformation. We cannot doubt that he has heard the welcome plaudit: “Well done, good and faithful servant; enter thou, into the joy of thy Lord.”

Public religious services are regularly held in the chapel every Sabbath morning, the exercises being precisely similar to those in ordinary churches outside. There is a very well-trained choir in the prison, and a good melodeon, provided by the inspectors, is played by a prisoner who learned music within the walls. The conduct of the prisoners is uniformly decorous, and some of them exhibit the outward marks of deep seriousness. We are satisfied from personal conversations with them, that they consider their attendance at the chapel a great privilege, and would deem it a severe punishment to be deprived of an opportunity of attending upon its services. The chaplain spends much of his time in personal conversations with the men. Through him they correspond with their friends, which gives him an excellent opportunity of learning the springs which control their thoughts and feelings, of which he is not slow to avail himself. He also distributes an abundant supply of tracts among the men, but it does not appear that this mode of doing good is very popular amongst them.

Library.

The library contains nearly 2,800 volumes, but many of them are small and much worn, and many of them are ill adapted to interest or to instruct. The men value the library very highly, and we are fully of opinion that great good would be accom-

plished through this instrumentality, were the number of instructive and interesting works considerably increased.

Secular Instruction.

Instruction is given to all who desire it, in spelling, reading, and arithmetic. We did not hear of any who were engaged in the study of geography or grammar. Some progress is made by some of the pupils, but it appears to us that there is room for considerable improvement in this department. Without speaking positively upon the subject, it seems to us that there is no insuperable obstacle to the collection of the class in a body, in one of the corridors, for an hour or two a day; or, better still, in some apartment fitted up as a school-room. If this could be effected, more useful instruction could be given in one evening than is now communicated in a week. This is the plan employed in the provincial penitentiary in Canada, and it is found to work admirably.

Hospital.

The hospital is large, airy, and well ventilated. The beds are comfortable, and the arrangements are generally convenient, but there is an insufficient supply of water, and no provision for water closets or baths. This is especially to be regretted, as there are frequently patients with skin diseases, for whom cold and warm baths are very essential.

There is also a deficiency of surgical apparatus. It is really wonderful that no greater inconvenience has already arisen in consequence of the deficiency, as Plattsburgh, sixteen miles distant, is the nearest point where such apparatus can be obtained, and some of the articles could not be procured nearer than Burlington, Vermont. The snow is sometimes so deep that neither of these places could be reached, and when we consider that mining, forging, rolling, &c., are carried on in the prison, and that the prisoners are constantly exposed to danger from powerful and swiftly moving machinery, and the officers and men are exposed to gunshot and other wounds, it would seem to be a matter of obvious necessity that a supply of necessary surgical instruments should be always on hand.

An examination of the drugs, so far as we could judge by inspection, and in the absence of any chemical tests, showed that they were very inferior. In fact, scarcely one of the drugs was genuine, which must of course lead to much uncertainty and dis-

appointment in their administration. We found, on inquiry, that they were all purchased in Plattsburgh. We would recommend that they be procured hereafter of some responsible house in New York, whose character will be a guarantee against fraudulent adulterations.

The diseases treated in the hospital from August 1st, 1862 to August 1, 1863, were as follows:

Pneumonia	2
Scurvy	2
Phthisis	1
Cholera Morbus	1
Diarrhoea	1
Burn and contusion	1
Bleeding at the lungs	2
Fracture of the fore arm	2
Lumbar abscess	1
Incised wounds	3
Hemiplegia	1

From these 17 cases of disease there has been but one death, viz: from phthisis, and this is the only death which has occurred from disease in the prison during the past three years; showing a sanitary condition unequalled, we think, in any other prison in the world of equal size.

Besides the diseases treated in the hospital, there are many cases of trivial disease which are prescribed for daily. These are mostly bowel complaints and pulmonary affections. As illustrating the influence of different seasons, and different trades and occupations in producing disease, we subjoin the following table from the doctor's prescription book:

	Bowel Complaints.	Pulmonary Diseases.	Whole number in each shop.
	July 1863.	March 1863.	
Shoe shop	20	40	133
State tailors	1	2	17
Forge	2	2	47
Nail factory	5	7	39
Rolling mill	1	1	17
Coal banks	1	8	33
Coopers and State car- penters	2	7	15
Separator	2	4	14
No occupation	1	1	0

	Bowel Complaints.		Whole number in each shop.
	July 1862.	March 1863.	
Blacksmiths.....	1	5	12
Paint shop.....	1	0	0
Yard men.....	0	4	11
Saw mill.....	0	2	15
Kitchen.....	1	1	4

It will be seen from the above that the shoe shop is the great centre of disease within the prison. Indeed, there are very few in that shop who enjoy robust health. They complain constantly of pains in the chest, and of general debility. It will be observed that nearly one-third of the whole number were treated for pulmonary complaints in the month of March, and rather more than one-seventh were treated for bowel complaints in July. We attribute most of this liability to disease to sitting in a cramped position at their work. There are no benches provided for doing their work in a standing position. Such benches are used successfully at other prisons, and we would recommend that prompt measures be taken to substitute the stand up benches for the present low ones.

It is instructive to compare this record of diseases with the record of punishments. Such a comparison shows that the proportion of punishments is very nearly the same with the diseases; thus while the shoe shops exhibit a much greater proportion of punishments for breaches of discipline, so it also exhibits a much greater proportion of disease. There was not a single prescription given to any one of the miners during the period covered by our tables, nor was any one of them subjected to punishment. This relation between bodily disease and breaches of prison discipline deserves far more attention from prison officers and students of prison discipline than it has hitherto received.

Our examinations clearly show that there are fewer diseases treated in the hospital, and fewer deaths in this prison than in any other prison with whose history we are acquainted.

Insanity.

Our attention was turned with much care to the mental health of the prisoners, and as the result of our scrutiny we find that the mental health and vigor here is much above the average of the ordinary prison populations in this country. Still, in cases where the confinement had extended over five years, it was very evident that the tone of the intellectual faculties was weakened,

and much that is most noble and most useful in manhood had been lost. We cannot doubt for a moment that the sentences of the courts in this State are altogether too long, and that the minds of many are permanently injured or utterly destroyed by the length of their confinement. We content ourselves with thus bearing our testimony to the mental injuries produced by long sentences, as the Association, in its general report, will present the facts and arguments at length in favor of a change in this respect.

There have been six prisoners sent to the criminal lunatic asylum from the prison since May, 1862, all of whom came from the shoe shop and nail factory, (which are the most sedentary employments in the prison) and all of them are much-addicted to onanism.

There are now two persons in the prison whose insanity is pretty clearly manifested, but who are not sent to the criminal lunatic asylum because that institution is too full to receive them. The solitary cells before referred to, are greatly needed for those prisoners who exhibit symptoms of insanity, but who have not yet manifested so unequivocal symptoms as to warrant their transference to the asylum.

Bill of Fare.

Breakfast is uniform throughout the week, and consists of coffee, corned beef, bread, potatoes and gravy.

The coffee is made by browning crusts of bread in the oven until the outside is black. Then 8 lbs. of these burned crusts and 2 gallons of molasses are boiled with 30 gallons of water; this makes a pleasant and healthy drink, which is much liked by the men. We believe it to be far the best substitute for coffee in prisons and alms houses that can be made.

The beef is corned beef, boiled in the ordinary way.

The gravy is made by melting 13 lbs. of lard, and warming 20 lbs. of flour; the warm flour is then rubbed evenly into the melted lard, and cooked fifteen minutes; 24 gallons of warm water are then poured in to the flour and lard, and the whole boiled together half an hour; it is seasoned with salt and pepper well stirred together, and it is then fit for use. Each man receives one gill of the gravy. The men like it very much.

SUNDAY.

Dinner.—Boiled beef and pork with bread.

Supper.—Cake.

The use of cake in the dietary of a prison is, so far as we know, a novelty. We do not disapprove of the innovation. It is made as follows: 20 lbs. of lard is melted, and 1 lb. of ginger and 1 lb. of saleratus are then stirred in; 160 lbs. of flour are weighed, and enough of this flour is taken to mix with the lard until it is of a proper consistency, and 7 gallons of molasses are then mixed with enough of water to form the remainder of the flour into a stiff paste; this paste is then thoroughly incorporated with the lard and flour mass, rolled out and cut into 410 cakes, which are baked in tin pans. They are highly prized by the men for their Sunday supper.

MONDAY.

Dinner.—Pork and boiled beans. 150 lbs. of beans are allowed for 410 men. The beans are cleaned on Sunday night and put to soak in cold water. On Monday morning they are parboiled for fifteen minutes, the water is then mostly drawn off, and they are boiled three hours. Salt and pepper are added just before they are finished.

Supper.—Mush or bread, with half a gill of molasses to each man.

TUESDAY.

Dinner.—Salt beef boiled, bread, potatoes and gravy.

Supper.—Bread and molasses, half a gill per man.

WEDNESDAY.

Dinner.—Meat hash, corned beef and potatoes, with lard and half a gill of vinegar, which is much relished.

Supper.—Same as Monday.

THURSDAY.

Dinner.—Fresh boiled beef, with potatoes and soup.

Supper.—Same as Tuesday.

FRIDAY.

Dinner.—Codfish hash with vinegar.

Supper.—Same as Monday.

SATURDAY.

Dinner.—Peas soup with corned beef.

Supper.—Same as Tuesday.

Peas soup is made by soaking them the preceding night, as was done with the beans. 120 lbs. of peas are then boiled with 20

gallons of water, until they are quite soft; they are then diluted with the liquor in which the corned beef has been boiled and seasoned with pepper.

On Tuesday morning codfish gravy is served with boiled potatoes. It is made as follows: on the preceding afternoon, 100 lbs. of codfish are put into a bag and simmered long enough in water to loosen the bones. The bones are then removed, and the fish is picked into fine pieces. Next morning, 15 lbs. of lard are melted, and the picked fish put in; 20 lbs. of flour is then wetted evenly with water; then add to it six pails of water, and stir in the lard and fish; boil for fifteen minutes, and give a pint to each man.

The mush at Clinton prison is made thus: Soak 40 lbs. of meal in 25 gallons of cold water for an hour; then put in 5 lbs. of lard, and boil for 5 hours. This would be much improved by putting in half a gill of molasses for each man, about half an hour before the boiling is finished. When the molasses is thus cooked with the mush, it has never been known to cause bowel complaints.

The bread at Clinton is made by the following process: 314 lbs. of flour; 130 lbs. corn meal; 2 lbs. saleratus; 4 lbs. salt; 357 lbs. water. At night, mix half a gallon of yeast and two pails of water with sufficient flour to thicken it. In the morning dissolve the salt and saleratus; wet up the flour with the remainder of the water, and incorporate the mass thoroughly with the sponge; let it rise sufficiently; then put into pans and bake. The above amount of flour and meal makes 632 lbs. of bread when weighed, as it comes from the oven, and 615 lbs. when kept for 24 hours.

We have been thus particular in giving the dietary economy of Clinton, believing that it will be of much interest and advantage to the prison officers, into whose hand this report may fall. As much meat, bread, and vegetables, are allowed to the men as they desire. The appearance of the men and the hospital register concur in showing that the diet is well suited to the condition of the prisoners.

Kitchen.

The kitchen and its arrangement, and the mode of keeping the accounts, were entirely satisfactory with two exceptions. 1st. The ice in the refrigerator is placed in the bottom instead of the top, where it ought to be. 2d. The steam in the kitchen boilers

is admitted directly into the mass of materials, instead of being allowed to circulate around them in a jacket. The objection to this method will be easily seen. When the steam is turned off, a vacuum is formed, the pressure of the atmosphere forces what is in the boiler (say soup) back into the steam-pipe, where it lies in contact with the pipe from six to twelve hours. When the next dish is to be cooked (say mush), the steam is let on, and the soup which has lain in the pipe is forced into the mush, giving it an unpleasant flavor, and making it unwholesome. We recommend a speedy change in these arrangements.

Beds and Bedding.

The bedsteads are all of wood, the slats are 2½ inches wide, with spaces of four inches between them. No sheets or pillow cases are allowed. One pillow is allowed for each bed. In summer, one blanket is allowed to each bed. In winter, five blankets are allowed to each man sleeping in the lower tier of cells, and four to those sleeping in the two upper ones. There are three kinds of blankets in use.

	lbs. oz.		Yards. Inches.		Yards. Inches.	
The first weighs....	4	8	and measures	1	33	by 2 16
The second weighs..	3	0	do	1	18	by 1 18
The third weighs...	2	8	do	1	18	by 1 18

The furniture of each cell consists of 1 night bucket, 1 wooden wash kid, a spittoon, a tin cup, a towel, and a bible. The beds are made of good striped ticks, well stuffed with oat straw. The corridors and cells are whitewashed three times a year. The side of each cell opposite to the bed, and each end of it is white-washed weekly. We believe none of the cells, except seven, are in any way infested by vermin, and every possible effort is being made to expel the pests from these also. The cells, the corridors, and indeed all apartments of the prison are kept commendably clean. Ample rations of soap, made in the prison, are allowed to each prisoner. The blankets are washed weekly.

We should recommend that iron bedsteads be substituted in place of the wooden bunks now in use, as being more cleanly, less retentive of scents, and more secure against vermin; that pillow cases should be provided and changed weekly; and that the beds be aired twice a week, instead of tri-annually, as now practiced, and that they be fairly exposed to the direct rays of the sun once a month. The failure to do this is the worst instance of

mismangement that we have seen in the prison. The beds absorb a great deal of perspiration and exuvie during the night, which the practice of turning up the bed effectually retains, hence the air in the cell is offensive, and must be injurious to health.

Washing.

The arrangements for washing the clothes are ample and efficient. Four men do all the washing required in the prison, and they are such as would not be received by contractors. Pants, vests, coats and shirts are changed once a week. The bloomers change twice a week, and are provided with night shirts. The bed ticks are changed and washed four times a year. The woolen shirts are soaked in alum water when they are put away for the summer, and we were assured that clothes infested with lice would be perfectly cleaned, and the vermin and their eggs, destroyed by this process.

There is a large drying room, heated by steam, where the clothes are artificially dried in wet weather.

Lighting.

The corridors are lighted all night by 18 kerosene lamps; the light afforded by these is insufficient to enable the convicts to read at the cell doors, which we think is very desirable; 40 lamps would be sufficient to enable them all to read with ease, 28 of these might be extinguished at 9 o'clock, p. m. Twenty eight lamps burn all night in various parts of the prison, which consume two and a half gallons of kerosene nightly.

Bathing.

There is at present no adequate provision for bathing, but the attention of the Inspectors has been turned to the matter, and they have given orders for an ample provision for the frequent ablution of the convicts.

Ventilation.

The ventilation at Clinton, like that of all other prisons that we have ever visited, is very imperfect. The odor of the cells, even in the day time, is disagreeable, and in the night is extremely offensive. The importance of pure air is now so well understood by all classes, that any argument to prove it is quite unnecessary. We are of the opinion that this desirable result will never be accomplished until the cells are separated by an

alley-way at least two and a half feet wide, and the air forcibly extracted from the cells by a powerful fan. Another great advantage which would arise from an alley-way between the cells would be that the convict might then be subject to a constant supervision of the officer in charge, without his own knowledge; a result which it is impossible to effect with the present arrangement. We are satisfied that all that can be done, is done by the officers in charge, to insure a supply of pure air; but as we have already said, this is quite impossible with the present architectural arrangements.

Warming.

The interior of the prison is warmed by six steam pipes, running entirely around the corridors. The heating surface is equivalent to six thousand feet of 1½ inch pipe, which is amply sufficient when turned on, in full, to maintain a temperature of 70 deg. Far., in the coldest weather. The size of the cells is 8 feet long, 4 feet wide and 7 feet high.

Causes of Crime.

We visited many of the prisoners in their cells, with a view of ascertaining from personal conversation, the causes which had led them to the commission of crime. We regret that we were only able, for want of time, to converse with more than a quarter of their number. In 95 cases, 38 acknowledged to having been guilty of licentiousness; 50 admitted intemperate habits; 21 said that they were children of Catholic parents, 4 of Episcopal parentage, 12 of Methodist parentage, 5 of Baptist, 1 of Jewish, 1 of Quaker, 26 of religious parentage without specifying the denomination; 25 represented their parents as having no religion whatever; 36 attended sabbath school; 59 never attended; those who professed to have attended sabbath school admitted that their attendance was very irregular. Several who professed to have been regular attendants, could not tell what was taught in sabbath schools; some of them could not tell whether the nautical almanac was taught in the schools or not; 54 were habitually disobedient to their parents; 10 were *somewhat* disobedient; 31 professed to have been obedient children; 26 had learned trades; 25 were entire orphans in their youth; 9 had fathers living but no mothers; 11 had mothers living but no fathers; 3 described themselves as half orphans without specifying which parent was living; 47 were neither orphans nor half

orphans. A very considerable number of the 47 said that they left their parents when very young, and others said that their parents had neglected them almost entirely when they were children. The results of our examination at Clinton most fully confirmed the conclusions indicated by examinations made at other prisons, that one of the most fertile causes of crime is *the want of faithful parental training in early life.*

The most common answer to the question, "what brought you first into evil courses?" was "bad company." If the men were intemperate, it was bad company that first led them to the use of liquor. If licentious, it was bad company that brought them into contact with bad women. If Sabbath breakers, it was bad company that first induced them to abandon their attendance at the Sabbath school and the church. The steps in the downward road are most generally, 1st, absence of parental instruction and restraint; this almost invariably is followed, 2d, by association with bad company; this nearly always leads, 3d, to the formation of intemperate habits, which prepares the way for, 4th, a connection with bad women; the expenses incurred by this connection leads to, 5th, robbery, forgery and other crimes against property and life.

The number of intemperate persons is very much underrated in this report. The number is stated exactly as they were given to us by the convicts, but on carefully questioning those who professed to be perfectly temperate, we obtained answers which were totally incompatible with a temperate life. We have no doubt that at least ninety out of one hundred of these convicts have been grossly intemperate, and several of those who professed to be temperate we know were in a state of intoxication when they committed the crime for which they were convicted.

Acknowledgments.

We desire to record our grateful acknowledgments to Mr. Parkhurst, the warden of the prison, for his generous hospitalities to us while at Clinton, and also for the fullness of the information he communicated, and the facilities he afforded us in the prosecution of our inquiries. To Mr. Wood, the principal keeper, and to the assistant keepers, our thanks are due for the information they gave us, and the courteous assistance they afforded us. It gives us pleasure to bear testimony to the conscientious zeal with which the officers at Clinton discharge their respective duties. We have never seen in any prison a superior set of men.

Conclusion.

It is due to the Inspectors of prisons of this State to say that, in the judgment of the committee, the good order and discipline now prevailing in our State prisons are, in no small degree, owing to the integrity and wisdom of their administration. A majority of the gentlemen composing the board, in the discharge of the trust committed to them, have had the manhood and the principle to rise above all considerations other than those connected with the interests of the public service. In appointing men to office, they have looked more at their qualifications than at their party affiliations. For their fidelity herein they deserve, and will receive, the applause and gratitude of their fellow citizens; for no greater calamity can happen to our prisons, no deeper injury can accrue to their supreme interest, than that their government and discipline should be made the footfall of party politics. No appointment to office in them ought ever to be made but upon a controlling conviction of the fitness of the candidate; no removal should be made but upon a like controlling conviction of the unfitness of the incumbent.

The general report of the Association will probably show the great evils arising from the introduction of political influences into the general administration of our prisons, we therefore content ourselves with bearing our emphatic testimony to the magnitude of these evils, and to the expression of our decided opinion that the best interests of our prisons would be promoted by an entire separation of their administration from the vicissitudes of party politics.

It now only remains to say, that in all our private personal intercourse with the prisoners, no one complained of inadequate food or clothing, or of abuse from any of the officers; nor have we any reason to believe that any such abuses exist at present.

SOLOMON JENNER,
JOHN STANTON GOULD,
E. C. WINES,

Committee.

NEW YORK, September, 1863.

3. AUBURN PRISON.

NEW YORK, July 1, 1863.

The undersigned, appointed on the committee to visit and inspect the State Prison at Auburn, respectfully report:

That, much to their regret, Messrs. John H. Anthon and John H. Keyser were prevented, by pressing home engagements, from meeting the other members of the committee at Auburn, on the 16th of June, the day found most convenient by the majority, for beginning the inspection. The work, consequently, fell upon the undersigned, and was undertaken on the date named, and completed on the evening of the 19th June.

The result of the committee's investigations will be detailed, so far as practicable, in the order suggested by the blank forms or "outlines," published for the use of the committees of the Association.

1. CONSTRUCTION AND CONDITION OF THE BUILDING.

The State prison at Auburn, Cayuga Co., N. Y., is located on the outlet of Owasco lake, a few rods from the depot buildings of the N. Y. Central Railroad, and within half a mile of the heart of the city of Auburn. Its situation is unobjectionable in a sanitary point of view, the site being high, dry and airy, and the sewerage abundantly supplied by the narrow but rapid stream that at some points washes the very walls which surround the prison.

The buildings consist of the prison proper, a five story grey stone structure, with a wing of a similar height and character on each end, running to the rear; and several brick, stone and frame buildings, occupied and used as workshops in the interest of the various contractors, or for utilitarian purposes connected with the prison. Here are manufactured, chiefly by convict labor, shoes, carpets, hames, barrels, cabinet furniture, tools, skates, saddler's hardware, machinery, agricultural implements (including large numbers of mowers and reapers), stockings, soap, etc., etc.

The dimensions of these buildings, together with the statistics of labor performed during the current year, and the pecuniary results thereof, your committee were unable to procure during their brief stay, but they will probably be obtained in time to accompany this report when printed.

It may be mentioned here, that around the prison and all its outbuildings, a wall extends, enclosing an area of one thousand feet in length and five hundred feet in width. This wall is built of stone (its foundation at some points being the solid rock), and graded in thickness from ten feet at the bottom to four feet at the top. The upper surface of the wall is level, but the irregularity of the ground causes a variation in height of from twelve feet, its least altitude, to twenty-five feet, its greatest elevation.

The original plan and construction of the prison would seem to have been faulty, in making this outside wall the main dependence for keeping the convicts securely. The subsequent erection of buildings within the inclosure, and the additions or alterations made to the original structures, all seemingly independent of the plainest rules of symmetry and system, have, by the irregularity of their location or from other causes, diminished the facilities for observation, and, while almost compelling the presence of a double force of keepers, have discouraged all attempts at watchfulness by proving the impracticability of keeping a vigilant eye upon all the convicts at all times and under all circumstances. Unquestionably, the solid masonry of this high wall is well calculated to frown down the hopes and ventures of would-be fugitives, but had common sense inspired and superintended the construction of the buildings enclosed, it is safe to say that a fair proportion of the ninety thousand dollars, given as the valuation of the wall alone, might have been saved to the State and made more useful elsewhere. Both for purposes of security and discipline, it is to be deplored that the present architectural arrangement and location of the shops makes the wall practically the chief keeper of this prison. Notoriously, a convict well watched needs no punishment, and it is no less true that where all obstructions are removed, a small guard can securely keep a multitude of convicts, however restless and however mutinous. As an illustration of the ease with which convicts can conceal themselves and thus escape, as a result of the architectural irregularities referred to, it may be stated that about three years since, a single keeper allowed seven men to escape, unmissed, in one day; and this too when only fifteen men were placed in his charge. Subsequently all but one of these fugitives were retaken. The practice of hiding away, to avoid being locked up at night, is quite common among the convicts, and easily effected; few, however, succeed in escaping by this means, as the whole pro-

mises undergoe a search when the prisoner's cell is found to be empty, or his place, in shop or at table, vacant.

The admission within the walls and in the workshops, of citizens, employed by the contractors, furnishes another facility for escape, which tempts the convicts frequently, and adds largely to the cares of the conscientious keeper. At the time of the visit of your committee, one of the prisoners had, by this method, planned his escape, and was only awaiting the proper moment for putting it into execution. He had made arrangements with one of the citizen workmen to carry him outside the walls on a wheel-barrow, in the character of a barrel of saw dust. The warden, however, had been advised of the project, and, of course, its success was out of the question. The possibility of such attempts being successful, should be entirely removed, it seems to your committee, by forbidding all intercourse between convicts and citizens, and by putting an end to the present practice of admitting outside workmen to the prison workshops. It is creditable to the present management that, where such numerous and various facilities for escape exist, so few prisoners are successful in getting away. Only two or three escapes, per annum, have occurred, and their taste of liberty is so brief, as to be scarcely worth the trouble it costs. It is very rarely the case that a fugitive fails to be promptly retaken. A reward of \$10 is given for the arrest and return of an escaped convict.

There are in the prison and its wings, 990 cells, 7 dungeons, and 5 outside cells; all built of brick and stone, with iron grated doors opening upon the corridors. In size, the cells average 6½ feet in length, by 4½ feet in width; they are supplied with light and heat from without through the doors, and at night, gas brackets conveniently arranged, supply light to every gallery.

Heat is supplied by means of stoves placed on the ground floor in the corners of the buildings. This arrangement, which is, perhaps, satisfactory and salutary so far as the middle tier of cells is concerned, is open to the objection, that neither on the ground floor nor in the upper tier, are the convicts made comfortable; below they are compelled to shiver with cold, while above they almost faint with heat. Your committee deem it important that some change should be made in this system of heating the prison, in order that the heat may be more evenly distributed. It is obvious that, in an institution where the inmates, with few exceptions, are expected to labor ten hours daily throughout the

year, the kindred questions of proper *heat and ventilation* in the cells occupied by these laborers at night, should receive a most careful attention.

The ventilation of the cells has been attempted; and, until your committee visited the prison, the system adopted was supposed to be successful, but a few experiments demonstrated the entire fallacy of the theory which formed its foundation, and the warden was brought to the conviction that a supply of fresh air to the cells, thereby, was an utter impossibility, notwithstanding the so-called "flue" in the ceiling or wall of each cell.

In this, as in nearly every other instance, it has been deemed sufficient to make a small aperture in the cell wall, and connect this by a tube with the attic of the building, without any direct communication with the open air at either end, on the supposition that wherever there is a tube there must necessarily be a current of air through it, whether it communicates with the open air or not, or whether there is any motive power or not. It is on this supposition, apparently, that the attempted ventilation of the cells at Auburn is based, and the consequence is, as before stated, the overheating of some, and the underheating of other cells, and the *ventilation of none*.

The arrangement denotes an utter ignorance, on the part of the architect of the buildings, of the simplest laws of pneumatics and physiology, and it is due to the credit of the State, and to the health of the inmates, who are compelled to pass years, and some their whole lives, in this prison, half the time shut up in these narrow cells, that the most perfect plan, possible under the circumstances, be forthwith put in execution.

Dr. Button, the intelligent physician of the prison, in a written communication to the committee, says, on the subject of ventilation:

"The first thing that attracted my attention on entering upon my duties here, was the deficiency of fresh air in the workshops, wings and cells of the prison.

"My first action was, to have this remedied as far as practicable. The workshops are greatly improved. In the wings, the windows were raised, and directed to be kept open (a part of them), during the night. The convicts were extremely sensitive to the effects of cold, and complained that they took cold, were chilly, and could not sleep; but few ever complained of impure

air, and the more suffocating it was to those accustomed to fresh air, the less the convicts would complain, and the more they would object to have the windows up. Letting in *cold air* by the windows, also, lets out *warm air* from the stoves just under these windows, without changing it in the cells."

2. NUMBER OF PRISONERS.

At the date of inspection the number of prisoners was not far from 750, of whom, 669 were working on contracts. From the following statement of the number of convicts in this prison during 1862 and 1863, it will be seen that your committee visited the institution at a time when the inmates were fewer than for many months previously:

	Total No. of convicts.	No. on contract.
1862.		
January	870	749
February	947	819
March	953	816
April	919	805
May	889	790
June	857	764
July	841	724
August	819	704
September	793	692
October	789	686
November	793	677
December	804	692
1863.		
January	805	693
February	811	699
March	797	690
April	757	679
May	750	669

The preceding table will also serve to show that, in the average, *seven-eighths* of all the convicts are kept actively and profitably employed in the several trades and occupations carried on by contractors within the prison limits. Your committee spent several hours in an examination of the various workshops, and are of the opinion that the system pursued in their management is as complete, methodical and economical as that of any private or corporate manufacturing establishment.

3. REVENUES AND EXPENDITURES.

The earnings of convicts during THE YEAR ENDING SEPTEMBER 30TH, 1862, were as follows:

	1862-63.
Carpet contract.....	\$6,462 33
Hame contract.....	10,648 30
Cooper contract.....	6,151 99
Cabinet contract.....	8,416 01
Machine contract.....	9,171 47
Agricultural contract.....	12,317 20
Tool contract.....	7,341 08
Shoe contract.....	27,888 71
Second shoe contract.....	4,488 77

Add miscellaneous earnings..... \$92,885 86
9,638 04

\$102,523 90
Deduct expenses for ordinary support..... 77,393 54

\$25,130 36
*Deduct sums expended for buildings and repairs..... 11,009 81

Profits over expenditures of every kind..... \$14,120 55

The following table exhibits very concisely and clearly the regularity resulting from Mr. Kirkpatrick's methodical system of governing this Institution:

	For year ending Sept. 30, 1859.	1861.	1862.
Contract earnings.....	\$88,211 11	\$92,144 32	\$92,885 86
Miscellaneous earnings.....	12,134 61	9,857 51	9,638 04
Total earnings.....	\$100,345 72	\$102,001 83	\$102,523 90
Expenses for ordinary support.....	75,191 89	76,822 59	77,393 54
Earnings over expenditures for ordinary support	\$25,153 83	\$25,179 24	\$25,130 36

By this statement it will be seen that of the total earnings of the convicts, *twenty-five per cent.* is the annual net profit after paying the expenses of ordinary support.

The average earnings of each convict employed upon contract in this prison for the year ending SEPTEMBER 30TH, 1862, was 40 cents $\frac{2}{3}$ mills per day.

* Most of this sum was expended in alterations which were tantamount to new buildings, and of a character entirely out of the usual routine of repairs. This sum was therefore an unusual item.

The average earnings of all the convicts in this prison per day, during the same period, were 38 cents 4 mills.

The average number on contract was 744.

The average number in prison during the year was 860.

The average cost of supporting each convict in prison per day for ordinary support, including everything but buildings and repairs was 24 cents 7 $\frac{1}{2}$ mills.* Previous year, 24 cents 5 mills.

The total cost of supporting each convict in prison per day, including buildings and repairs was 28 cents 1 mill.† Previous year, 27 cents 9 mills.‡

The financial condition of the prison during the period from October 1, 1862, to the 1st of June, 1863, is shown by the following figures. They indicate a falling off of some \$1,700 from the receipts of the previous year; but still give a profit of some \$4,100 over all expenses, for the time.

MONTHS.	Contract earnings.	Miscellaneous earnings.	Total earnings.	Exp'ditures for ordinary support.	Exp'ditures for build'g, repairs, &c.	Total exp'ditures.
1862. October....	\$7,707 64	\$240 13	\$7,947 77	\$8,457 69	\$893 35	\$7,564 34
November.....	6,801 23	374 51	7,175 74	8,727 05	192 02	8,919 07
December.....	7,687 77	809 91	8,497 68	7,544 29	149 28	7,693 57
1863. January....	7,658 56	605 27	8,263 83	6,738 75	863 43	7,602 18
February.....	7,157 58	550 29	7,707 87	8,963 76	1,491 04	7,445 89
March.....	7,729 39	879 28	8,608 67	7,657 06	275 07	7,932 13
April.....	7,313 20	538 84	7,852 04	6,614 22	213 90	6,828 12
May.....	7,168 25	994 90	8,163 15	6,238 32	190 52	6,448 84

The expenses of the prison for the year ending September 30, 1862, were as follows:

Salaries of officers.....	\$33,832 02
Rations.....	22,491 61
Stock, materials, &c.....	4,028 41
Printing and stationery.....	871 19
Discharged convicts.....	1,805 54
Furniture.....	119 11
Hospital.....	659 26
Clothing and bedding.....	6,416 61
Building and repairs.....	11,009 81
Fuel, oil, and gas.....	3,171 25

* This includes everything but buildings and repairs.

† Includes every expenditure.

‡ Caused by appointment of more officers and increased salary of one of them.

Hay and grain.....	\$32 04
Miscellaneous.....	3,966 50
	<u>\$88,403 35</u>

Your committee are of the opinion that the salaries paid to the officials of the Auburn prison, are too low. The agent and warden performs the arduous duties of two offices at a salary of \$1,250 per annum—house room, lights, and fuel being also furnished him. This salary seems not at all in proportion to the cares and responsibilities of the position.

The keepers receive \$50 per month, and live outside the prison. There can be but one opinion as to the disproportion between the salary given and the labor required. It seems unreasonable to expect that *fit* men will accept these responsible offices and perform the duties thereof, for so small a recompense as \$600 per annum. And the statement is a safe one, that, at the present rate of remuneration, the subordinate prison officials at Auburn perform harder work, bear heavier burdens of care, and fulfil a more thankless mission than almost any class of office holders in the service of the State. The scale of salaries should be revised and amended.

4. APPOINTMENT AND REMOVAL OF PRISON OFFICERS.

Again, in the judgment of your committee, the present system of appointment to office and removal therefrom, as respects our prisons, is greatly in need of reform. The various offices are now a part of the political patronage of the dominant party, and a change of regime at Albany is the signal for a generally thorough change among the prison officials throughout the State. By this means, no keeper is sure of retaining his place more than two years, and none who are removed doubt their reinstatement at the next lucky throw of the political dice. This uncertainty of tenure, added to the small salary and the partizanship upon which success is dependent, cannot fail, and has not failed to prevent these offices being *properly* filled by men whose experience, intelligence, and philanthropy would make our State penal institutions at once punitive and reformatory, from which should graduate penitents rather than adepts in crime. Such a desirable result is little likely to be attained so long as the subordinate positions in our prisons are made the reward of political services, solely, without reference to the peculiar fitness of the applicant to

occupy so responsible a place. Some of these appointments, and the circumstances attending them, would be truly ludicrous, were it not for the sad consequences involved and the serious phases of the subject. Wrong men are thrust by impatient patrons into places which, above all others, right men should fill. The political debts cancelled with keeperships or other offices in and about our prisons, are almost as numerous as the officers themselves, and many a man has thus found himself lifted from under the surveillance of an overseer or superintendent, to become the superintendent and guardian of men, every one of whom was his superior in all that goes to make the shrewd, sharp, cool, and desperate man.

How this abuse is to be reformed, it is for the prison Association of New York to consider, discuss, and judge. Your committee incline to the idea that, for all the appointments to subordinate prison offices, the recommendatory power should lie with the warden, and his favorable judgment as to the fitness of the applicant, be made the *sine qua non* in the distribution of this branch of the Inspectors' patronage. Or, better still, let the appointment of the police force of the prison be lodged exclusively in the hands of the warden; and let that officer be held by the Inspectors and the public, to a just accountability for his manner of using the power thus confided to him.

At present, not only has the warden no power to secure good appointments, or prevent bad ones, but his powers are limited to temporary suspension of unfaithful and careless keepers, while his provisional appointments are quite uncertain of confirmation. It would seem but common sense that a person fitted for the responsible post of prison warden, and to whom the State has committed so important a trust, is worthy also of that added measure of confidence which shall permit him to have a controlling voice in the appointment of those subordinates, whose practical sympathy and co-operation are so necessary to his successful management of prison affairs.

5. STATISTICS OF RACE, NATIVITY, CRIMES, &c.

The statistical tables accompanying the chaplain's last report present the only obtainable information respecting the race, nativity, crimes, ages, education, habits, social relations, commitments and re-commitments of the inmates during 1862. The more important of those tables are appended:

STATISTICAL TABLES ACCOMPANYING CHAPLAIN'S REPORT.

TABLE No. 1.

Total number of convicts.....	793
Whites.....	735
Blacks.....	34
Mulattoes.....	21
Indians.....	3
Total.....	793

TABLE No. 2.

Natives of the United States.....	503
Foreigners.....	290
Total.....	793

TABLE No. 3.

Crimes against Persons.

Assault to kill.....	34
Assault to rape.....	15
Bigamy.....	11
Incest.....	4
Murder.....	15
Manslaughter.....	40
Rape.....	36
Total.....	155

Crimes against Property.

Arson.....	30
Attempt at Arson.....	2
Burglary.....	135
Burglary and larceny.....	84
Counterfeiting.....	13
Passing counterfeit coin.....	10
Embezzlement.....	4
Felony.....	7
False personation.....	1
False pretences.....	9

Forgery.....	63
Grand larceny.....	152
Larceny after felony.....	13
Perjury.....	6
Petit larceny, 2d offence.....	31
Passing counterfeit money.....	11
Receiving stolen goods.....	7
Robbery.....	43
Stealing letters from post-office.....	8
Poisoning horses.....	1
Aiding and assisting to break jail.....	1
Attempt to commit burglary.....	3
Robbing U. S. mail.....	2
Carrying slung shot.....	1
Total.....	637

Crime against Nature.

Bestiality.....	1
Total.....	793

TABLE No. 4.

Showing the terms of sentence.

1 year and less than 2.....	6
2 do do 3.....	245
3 do do 4.....	125
4 do do 5.....	76
5 do do 6.....	129
6 do do 7.....	16
7 do do 8.....	32
8 do do 9.....	21
9 do do 10.....	4
10 do do 11.....	84
11 do do 12.....	
12 do do 13.....	4
13 do do 14.....	
14 do do 15.....	3
15 do do 16.....	19
16 do do 17.....	2
17 do do 18.....	

18 years and less than 19	
19 do do 20	3
20 do do 21	22
Life	2
Sentence of death	
Total	793

TABLE No. 5.

Showing previous occupation.

Bakers, 5; barbers, 8; bartender, 1; basket makers, 4; blacksmiths, 34; boatmen, 23; book-keepers, 6; bookbinders, 4; bricklayers, 2; brick moulder, 1; brakesmen 2; brush maker, 1; butchers, 10; cabinet makers, 8; carmen, 7; carpenters, 48; carriage painter, 1; carriage makers, 3; carver, 1; caulkers, 4; chair makers, 4; chair-seat makers, 2; chandler, 1; cigar makers, 3; clerks, 11; confectioner, 1; cooks, 4; coach trimmer, 1; coopers, 11; comb maker, 1; cutler, 1; dentists, 2; dressmaker, 1; drover, 1; druggist, 1; daguerrean artists, 3; dyers, 2; edge-tool maker, 1; electro plater, 1; engraver, 1; engineer, (civil), 1; engineers, 5; farmers, 136; file cutters, 2; gardeners, 4; grocers, 2; harness makers, 3; hatter, 1; hame makers, 2; jewelers, 2; joiners, 4; laborers, 187; lock maker, 1; lawyers, 3; machinists, 18; masons, (stone) 10; miner, 1; merchants, 5; moulders, 3; millers, 4; ostlers, 4; cysteman, 1; painters, 19; pedlars, 9; pianoforte maker, 1; physicians, 2; plumber, 1; porter, 1; porter-house keeper, 1; printers, 5; rule maker, 1; sailmaker, 1; sailors, 25; saloon keeper, 1; sash and blind maker, 1; shoemakers, 46; ship carpenters, 5; short-hand reporter, 1; spinners, 3; surgeon, 1; stencil cutter, 1; stone cutters, 4; tailors, 13; teacher, 1; teamsters, 2; tanners, 2; tool makers, 5; tinsmith, 1; turner, 1; upholsterers, 2; waiters, 4; weavers, 5; winder, 1; wheelwright, 1; wire drawer, 1. Total, 793.

TABLE No. 6.

Showing the ages when convicted.

Under 20	111
Between 20 and 25	216
do 25 and 30	148
do 30 and 35	98

Between 35 and 40	70
do 40 and 50	95
do 50 and 60	37
Over 60	18
Total	793

TABLE No. 7.

Showing their Education.

Read and write	636
Read only	79
Neither read nor write	22
Well educated	36
Classical	20
Total	793

TABLE No. 8.

Showing their habits.

Temperate, (according to their own account,)	297
Intemperate	496
Total	793

TABLE No. 9.

Showing their social Relations.

Married	391
Single	402
Total	793

TABLE No. 10.

Showing their Commitments and Recommitments.

First conviction	628
Second conviction	121
Third conviction	34
Fourth conviction	7
Fifth conviction	2
Sixth conviction	1
Total	793

6. HEALTH.

The general health of the convicts was found to be good at the time of inspection, but we were informed that there had been an unusual amount of sickness during the year. No epidemic has prevailed, but the ordinary diseases have been more severe; and there has been, also, an increase of fever and inflammation. In the hospital, your committee found nineteen patients, most of whom were affected with pulmonary complaints, the greater part having brought their diseases with them to the prison. The ventilation of the hospital ward was found to be quite defective, and if the rooms were crowded with patients, the foul air would, to a great degree, neutralize the most skillful medical treatment.

We append a summary of the report of Dr. Button, for last year:

(1.) *Hospital Patients.*

Whole number during the year	114
Number discharged	95
Daily average	10
Number of deaths	18

(2.) *Causes of Death.*

Consumption	3
Chronic enteritis	1
Chronic peritonitis	1
Congestion of lungs	1
Diseased heart	1
Disease of kidneys	1
Hæmoptysis and ph's	1
Lumbar abscess	1
Phthisis	5
Ph's and fistula in pe'o	1
Softening of the brain	1
Tubercular phthisis	1
Total	18

(3.) *Out-door Patients.*

Whole number of daily applicants	14,800
" " prescribed for	10,278
" " not prescribed for	5,122
" " of days excused from labor	3,929

The diseases of fall, winter and spring are mostly lung and bronchial affections. In the summer and early part of fall, gastric and bowel complaints prevail. There is a large amount of rheumatism at all seasons. Scrofula and tubercular disease of the lungs comprise fully one-half of all the chronic diseases treated in the hospital. Venereal disease does not prevail in an aggravated form here; the cases are of secondary character, and are easily controlled. To the question whether pulmonary disease was often contracted in the prison, Dr. Button replied, that of sixteen who had died of such affections within the last two years, fourteen entered the prison in sound health. Masturbation prevails extensively, few young men being free from this fearful vice. Every Monday morning, a large number come to the hospital, weak and tremulous, with palpitation of heart, small and frequent pulse, damp, cold skin, and mind well nigh idiotic.

The physician is required to attend in the prison daily during business hours. All the assistants in the hospital are convicts.

7. DIETARY.

With respect to the food furnished to the prisoners, your committee are able to state, unqualifiedly, that it is of good quality and abundant in quantity. This judgment is the result of careful personal examination, to which was added the sworn testimony of several keepers, including that of Freeman Richardson, the "kitchen-keeper," a venerable man who has held office in the prison thirty years, twenty-three years of which time he has acted as "kitchen-keeper." Mr. Richardson states that the food now distributed is better than formerly given out. The flour he thinks of better quality, and poor meat is not so frequently brought to the prison. Meat and flour were formerly furnished by yearly contract; they are now contracted to be furnished month by month (by proposals). The present system appears to work better, as it allows of a change of contractors, and includes the power to buy elsewhere if the quality does not prove satisfactory. Meal, codfish and vegetables are furnished on similar monthly contracts, and are inspected by the "kitchen-keeper" on their receipt.

There is no regular bill of fare for the different days of the week, but the effort is made so to vary the dishes and regulate their recurrence as will prevent any particular dish becoming distasteful because too often served. These changes are made as

often as practicable, and the following named articles are thus made to furnish a varied bill of fare, which, in the main, proves, as confessed by a convict who had been in the army, more acceptable and palatable than the rations served to the majority of our soldiers in the field: Beef, salt and fresh, corned pork, mutton, codfish, potatoes, rice, beans, soups of several sorts, and in the season, turnips, cabbage, carrots, beets, and occasionally apples. The Sunday fare does not differ materially from that of week days; but on the two holidays—Fourth of July and Thanksgiving day—an extra dinner is provided for the prisoners. On the two holidays named, no work is done in the shops.

Meat is given twice a day, morning and noon, and consists for the most part of corned beef, with which, when too salt, fresh beef is mixed. Twelve hundred pounds per day are cooked for the two meals. Twice a month or oftener, salt pork is served out, eight hundred pounds of which supplies the day's ration. Fresh meat, hashed with potatoes, is served three times a week. On Fridays fish is the regular ration. Bread, made of wheat flour and Indian meal, in about equal proportions, is baked four or five times a week, in loaves weighing thirty-five pounds each.

The prisoners take their breakfast and dinner in the large dining room, but are served with supper after they have been locked up for the night. At the tables they are permitted to call for more food if they require it, and none need leave unsatisfied. Your committee saw and tasted the bread and meat provided for the prisoners, and can confidently state that no reasonable complaint can be made respecting it, either as to quality or quantity. In fact, the testimony of Mr. Richardson, the kitchen keeper, is emphatic on this point. He says that "fewer complaints have been made about meat or meals during the past nine years than ever before. Has heard no complaint for years until quite recently."

The recent complaints here spoken of, culminated in an *emeute* on the first day of our visit, and gave your committee occasion for a thorough investigation of the subject of food; and although the dissatisfaction took the form of an organized combination to intimidate the officials, with every appearance of hostility to one particular officer, the investigation elicited no reliable evidence which could justify complaint or furnish a pretext for insubordination. The burden of the testimony taken by your committee was, decidedly in favor of the rations as served. The committee

would, however, express the opinion that an ice chest should be provided for the prison, in which the cooked rations can be kept free from all liability to become tainted in hot weather. Without a provision of this kind, the utmost care can hardly prevent such a result from occasionally taking place in the excessive heats of summer.

8. CLEANLINESS.

The prison being located on the banks of a running stream enjoys all reasonable advantages for cleanliness. The water of this stream is pumped up and made available for kitchen and washing purposes. The supply is abundant and the quality good. There are also two reservoirs which furnish facilities (such as they are) for bathing.

In reference to these facilities, Dr. Button, in the communication before referred to, says: "During the hot weather, on Saturday afternoon, the convicts are allowed to bathe in the tanks, in the enclosure back of the prison building. There are two of these tanks, each 25 by 12 feet, with about 5 feet of water. These are filled by a force pump from the Owasco creek. It is a very unfit place to bathe. One man died while bathing, in August last, having disease of the valves of the heart. The shock, by diving, was undoubtedly instrumental in his death."

The convicts wash in their respective shops, to which they are marched at 5½ A. M. Each shop has a trough of clear water, with plenty of soft soap and towels, where all are required to wash for meals, and before going to their cells at night. The warden has it in contemplation to arrange a bath-room in a part of one of the basements at present unoccupied. It is to be hoped that the project will be carried out without delay.

The beds and bedding consist of a cot made of canvas, with a frame; a straw or cotton mattress; a comfortable, and as many flannel blankets as may be necessary. The beds and bedding are aired in the sun in hot weather often enough to keep them dry.

The bedding and clothing of the convicts are changed ordinarily once a week. The blankets and bed-sackings are washed regularly once a year. The improvements recently made in the older portions of the prison building, whereby brick and stone floors and arches have been substituted for decayed timbers, make vermin scarce, and greatly add to the cleanliness of the cells.

The prisoners are shaved once a week by barbers who go through the several shops and take the men in turn. The barber carries his chair from man to man. This process prevents loss of time and confusion. Hair cutting is done as often as necessary. Cropping and shingling are occasionally resorted to as a mild form of punishment, or for purposes of disgrace and shame.

9. CLOTHING.

The convicts are clothed with a striped material, duck in summer and woolen in winter. The suit consists of jacket, shirt and pantaloons, shoes and stockings. The shirts are of cotton in summer, of flannel in winter. Boots are occasionally furnished as a sort of premium upon good behavior, or where the delicate health of the convict may require. In some of the shops the men wear caps made of the same material with their clothes. Old men and those in feeble health are allowed undershirts and drawers.

10. CELLS.

The number and dimensions of the cells have been already given. It remains to be stated that a single occupant only is allowed to each; that the cells are kept clean, sweet and tolerably free from vermin; that night-tubs are used, which are taken in the morning, by men detailed for the purpose, and emptied into a pit which connects with the river; the tubs are then washed at the pumps by a process perfectly clean and unobjectionable. There are privies connected with every shop for the convenience of the convicts during the day.

Where the request is made, bibles are furnished to the prisoners.

11. PUNISHMENTS.

The discipline at this prison is by no means severe. The punishments are neither harsh nor degrading. Solitary confinement in cells and dungeons, on bread and water, is the most frequent punishment, and refractory convicts are "yoked." The deputy keeper is charged by law with the duty of administering the discipline of the prison, subject to the assent of the warden. By resolution of the inspectors, no "yoking" is allowed, except where sanctioned by the physician. This system of punishment is a severe one, when long continued; but precautions are taken to prevent evil consequences from its use. It is always inter-

mitted, as are all punishment, as soon as the convict gives expression to his penitence, and avows a willingness to resume his work and obey the rules.

There are a few minor punishments practised, such as the "basket," iron cap, etc., for talking and inattention to prison laws; but, on the whole, the most tender prison reformer can find no fault with the discipline or punishments of Auburn prison on the ground of their harshness, frequency or injustice.

12. LIBRARY AND INSTRUCTION.

The prison has a well selected library of miscellaneous books, numbering not far from two thousand volumes. These books are so well circulated that nearly half of all are out of the library most of the time. Your committee, believing in the good influence of proper books thus freely read by convicts, would recommend that the association urge upon the Legislature the importance of increasing the amount of its annual appropriations to this object. The Auburn prison, in particular, needs aid to enlarge its library, from the circumstance of its location at a distance from large cities, whose liberality might supply many volumes gratuitously, as has been the happy experience of the Sing Sing prison.

The convicts have opportunities of instruction on every secular evening, in their cells; the teacher remaining outside the grated door and having a lamp, which is attached by a hook to the door, supplying sufficient light for the purpose. By these means many of the prisoners enjoy advantages to which previously they have been strangers or indifferent, and numbers are here taught to read and write, who else had probably never learned. The warden states that very few convicts leave the prison at the end of their terms, without carrying away with them the ability to read and write. Instances are not unfrequent where discharged convicts have returned to thank the warden for the educational facilities and privileges enjoyed while they were involuntary inmates of this prison.

There is a flourishing sabbath school in the prison, in which religious instruction is imparted by the students of the Theological Seminary and pious laymen; and religious services are conducted by the chaplain. The results produced by these efforts of good and faithful men can never be brought within the narrow limits of statistical tables, but that they are "not in vain in the Lord" there is abundant evidence for believing.

13. CORRESPONDENCE.

Under reasonable regulations, the convicts are allowed to receive visits from their friends, and are permitted to write once in three months. Letters sent and received are inspected by the chaplain, whose duties in this particular are quite onerous—some two hundred and fifty letters per month being transmitted by prisoners to outside correspondents.

14. MONEY AND CLOTHING FURNISHED ON DISCHARGE.

Upon their discharge, prisoners whose behavior has been good (and this class comprises four-fifths of the whole number), receive the \$3 allowed by law, with the mileage; and, since May, 1862, a gratuity of \$5 has been added from a fund furnished by the fee of twenty-five cents paid by visitors and by donations. New, or good second-hand suits of clothes are also given to prisoners at the time of their discharge.

15. INSANITY.

By a wise and humane provision, the insane convicts are supported and kindly cared for in the "asylum for insane convicts," located on grounds adjacent to the prison, but not connected therewith. Your committee, as a part of their duty, took the opportunity to inspect this asylum, which is under the care of Dr. Charles E. Van Anden, as medical superintendent. At the time of such inspection, there were 80 inmates, who, so far as their conditions allowed of any indications, appeared cheerful of disposition and comfortably cared for. The building and its connections seem to be conveniently arranged, well ventilated, systematically and economically managed, and the entire establishment presents every evidence of being conducted equally in the interest of its unfortunate inmates, and of the State, which has so humanely undertaken their care. The committee regard the Institution as an ornament to the State as well as a blessing to its inmates.

There would seem to be a need of further legislation to cover cases which frequently occur in our State prisons, and which are subversive of discipline, while at the same time beyond the reach of punishment. There is no method provided or sanctioned by law, for the punishment of refractory, riotous, or insubordinate convicts, who, just upon the eve of their discharge, give a loose rein to their evil passions, knowing that no law exists by which they can be imprisoned longer. Instances occur where a convict

nearing the close of his term, and beyond reach of any advantage from the commutation law, ignores all prison rules for weeks, and incites insubordination among his fellows, simply as matter of spite and malice, and because of his certainty of immunity from the only punishment he dreads—extension of his term of imprisonment. Thus, almost any misdemeanor must be overlooked, practically, and the convict discharged on the day named in his sentence, notwithstanding his desert of additional punishment. It seems important that the law should be so amended as to provide proper treatment for such cases as these.

Respectfully submitted,

FRANK W. BALLARD,
JOHN H. GRISCOM,
E. C. WINES,

Committee.

B.
REPORTS ON PENITENTIARIES.

ALBANY COUNTY PENITENTIARY.

The history, plan, rules and regulations of the Albany County Penitentiary have been so frequently and fully laid before the public, that I deem it unnecessary to repeat these details, however interesting in themselves they may be. I restrict myself, therefore, to such suggestions as forced themselves on my notice, during my recent visit.

1. SECURITY OF THE BUILDINGS.

A very slight examination will suffice to satisfy any intelligent observer that they present no obstacle against escape, which an adept burglar would regard as insurmountable. They are of brick exclusively; and even this material is so sandy and friable, that about as much mortar as brick was used in the construction of the walls. Poor as this material is, a stern economy forbade the use of any more than was absolutely necessary to give the semblance of security to the structure. So well aware is the vigilant and intelligent warden, Mr. Pillsbury, of this, that he very frankly admits that he relies chiefly for the safety of his prisoners on the strict, rigid discipline, unceasing attention on the part of all the officers, and unyielding exaction of obedience to all his rules and regulations.

His success in the prevention of escapes—never having lost one from the inside, since the first occupancy of the buildings in 1846—would seem to settle this question of security, and the correctness of his theory.

But the present superintendent has no guarantee that "the days of his years" will pass the scriptural average of "three score and ten;" and who would succeed on his death or resignation? Instances abound, all over the land, of prisons demoralized, as well as armies, by the inefficiency of those in command. It may be argued, and indeed it is, that this very material insecurity, induces the greater vigilance on the part of officials; and

that, after all, no walls or bars will hold fast the prisoner, when his guardian is either unfaithful or negligent. This is true to a certain extent. But whilst, on the one hand, there may be the promptings of necessity to ensure this greater vigilance, on the other, there is temptation presented to the reckless, the artful and the desperate. This temptation it is not right to place before them. And so long as the well-being of society demands the restraint of its abandoned members, such provisions for that restraint should be made as will meet all the impulses and motives by which their conduct is liable to be swayed. Hence, with the appointment of guardians and keepers who are not only rigid disciplinarians, but who are themselves governed by correct moral principles and humane desires for the reformation of those committed to their care, there should also be such physical restraints as will, at the first glance, convince the culprit that the law making power has the ability to enforce the penalty it prescribes.

The successful administration of one man is not to be offset against the aggregate experience of the world; and that experience is against the exposure of the frail and the abandoned to temptation.

2. DISCIPLINE.

Such observations and inquiries as I had the opportunity of making, led to the conclusion that tact and experience have accomplished a very thorough work in the general discipline of the institution.

The prisoners eat, as well as sleep, in their cells. After every instance of their occupancy, they are inspected and cleaned; whatever mischief may have been devised, therefore, by an inmate is quite likely to be detected before it has matured into any very serious act.

If the workshops, the overlooking keeper is required to be always on his feet, and his eye ever observant of any infraction of the rules. The prisoners in the shops face the keeper; and they are not permitted to raise their eyes from their work, especially not, to notice visitors. Visitors, as a general rule, are not allowed in the front part of the work-shops, where they might attract the notice of the prisoners. Passing with the Superintendent, through the main aisle of the shops, I had full opportunity of noticing how far they were able to restrain their curiosity, and can bear ready testimony to the universal compliance

with the rule; unless indeed a furtive glance from a *woman* might destroy this universality.

The Superintendent states that seven-eighths of those committed to the prison, require no punishment; that none is administered without his authority or that of the deputy, in his absence, except solitary confinement; that the cat is never used, and that there have been but three or four cases of whipping since the establishment was opened, and these were with the rattan; that neither the buck nor yoke is ever used; and that the ball and chain have not been applied for ten years.

But offences will come; and punishment must follow, or discipline suffers. In the first instance, and it may be for the second or third, the attempt is made to subdue the offender by appeals to his heart and conscience. All moral agencies failing, the culprit is then showered in an ordinary bath, of a size compelling him to stand. The holes through which the water flows are about one-fourth of an inch in diameter, and the fall of the stream is about twelve inches. No injury has ever resulted from its use.

The system of allowance for over-work has not been introduced into this prison. It is objected to as giving the prisoner the means of living in idleness or indulging in extravagance, on his discharge; and as relieving him, temporarily at least, from the necessity of immediate hard labor, so that he would have the better opportunity to concoct schemes of crime, and revert to his old ways of living. So strange are the vagaries of poor human nature, it is quite possible that occasionally such results might follow. But the objection implies, in the first place, that the amount which a prisoner can so earn may be of considerable magnitude; a possibility somewhat verging on impossibility. Again, it entirely ignores the fact which confronts us in all business intercourse, that no money is so tightly clutched as that which has been earned by severe toil. Moreover, it is against the general experience of life, that when a man finds his labor remunerative, he will apply himself the more diligently in the same direction. And seeing that the human nature of prisoners bears a strong family likeness to that of the rest of mankind, it is presumable that the motives which influence others will, in like circumstances, influence them. So the philosophy of the worthy superintendent in this matter, seems to be at fault; and it would be worth while to consider whether this practice, which

has proved so beneficial elsewhere, might not, with like results, be tried in the Albany Penitentiary. A direct and positive advantage to the general discipline ought to flow from this system of credit for over-work. The prisoner has a higher incentive before him to correct deportment than fear of punishment, and every example of cheerful compliance with the rules tends to elevate the moral tone of the entire institution. This accords with the experience of other prisons.

3. VENTILATION AND CLEANLINESS.

The Inspectors appointed by the board of supervisors of Albany county, in their report for the year ending Oct. 31, 1863, say: "The great matter of ventilation, than which nothing can be more essential in establishments of this description, is never lost sight of. Good bathing apparatus has been provided for the use of the convicts, and with the additions now completed and proposed to be made, it is confidently believed that in its arrangements for ventilation, and for the cleanliness and health of its inmates, the Albany County Penitentiary is unsurpassed in the world."

And yet the ventilation, of the shops particularly, is very far from perfect, as was uncomfortably evident on the occasion of my visit. The superintendent, who was with me, noticed the condition of the atmosphere, and gave orders on the spot, to have the very needful fresh air admitted. These may have been exceptional instances of a vitiated atmosphere; but if so, it seems singular that they should have happened just at that time. The truth is, that no merely natural flow of air, even with an unnatural number of vents, will supply oxygen with sufficient rapidity for health, to rooms where large numbers of healthy men or women are congregated for several successive hours. Other prison authorities have learned this truth, and conformed their arrangements to it; and they, at least, would be slow to believe that the present "arrangements for ventilating the Albany County Penitentiary are unsurpassed in the world." Nevertheless, they are far in advance of ordinary arrangements for this purpose; though with abundant room for improvement.

I remarked on the insufficiency of a natural flow of air, even with an unusual number of vents. And I may be permitted to illustrate the correctness of this remark, by reference to the school room—which is also used as a chapel—of the New York

juvenile asylum. The asylum is situated on 175th street, between 10th and 11th avenues, near the High Bridge, New York city. It is on very high ground, exposed to every breeze that sweeps the land, from all points of the compass. The school room is in the rear extension of the main building, running about N. by E., and S. by W. It is 78 feet in length by 39 feet in width, and the ceiling is 13 feet 3 inches from the floor. It has five windows on both the easterly and westerly sides, each 4 feet 6 inches, by 7 feet 9 inches, and also one window on the northerly end, of the same dimensions, with one large door at that end, and three doors in the southerly end at its attachment to the front building; the middle door of these three opening into the main hall, which communicates with the southerly front. Besides all these facilities for ventilation, there are seven ventilators in the upper part of the walls, and four near the floor; each of them having an area of 80 square inches. The Superintendent, Dr. S. D. Brooks, who is a gentleman of general scientific attainments, besides his peculiar and unusually excellent qualifications for the important post he fills, is exceedingly careful, as I have repeatedly had occasion to notice, to *feed* his large family with all the fresh air that they can consume. And yet I have visited this room in the summer season, when all the windows, doors, and ventilators were wide open; and after its occupancy by the 400 children with their teachers, for an hour or two, the atmosphere would become so vitiated as to be offensive to the senses; and the teachers, who are in the room necessarily much of their time, complain that it often excites inflammatory action of the eyes.* Now, here, all has been done that could be, in the nature of the case, to secure fresh air by a natural flow; and yet the supply is insufficient for health. With such facts before us, which are duplicated in almost every large school house in our cities, not to speak of our multitudinous, miserably ventilated public buildings, how can the Inspectors of the Albany penitentiary, and their intelligent Superintendent, rest content with their insufficient arrangements, and speak of them as "insurpassed in the world?" The more is the pity for the world, if they are. The simple fact is, that where large numbers of human beings are assembled in our close buildings, air must be supplied

* It is proper here to state, that the children are systematically washed and bathed, and kept as clean, both as to their persons and clothes, as children in the "best regulated families."

by artificial means, or health will suffer. The appetite for fresh air is like the "three things" of Solomon, "that are never satisfied, yea, four things that say not, it is enough." This appetite, in a healthy man, never cloy.

Facilities for bathing the entire person are supplied, and in the warm season, all the prisoners are required to bathe regularly. This is well; but is cleanliness less essential to health in winter than in summer? For in the winter, it seems, ablation of the head and hands are considered sufficient.

The night tubs are of wood. In a prison, which rather claims to be a model institution, should they not be of metal, or lined with metal, or some other non-absorbent? It is natural to suppose that the odor from wood constantly used for the deposit of offensive fluids, even though they be washed with pure water after use, cannot be either agreeable or healthful. This observation associates itself unpleasantly with the fact that the prisoners eat their meals in their cells.

Rigid attention to these and other proprieties of personal life, consistently persevered in, cannot but affect favorably the habits of the prisoners on their discharge; and personal habits react powerfully, for good or ill, as all observation and experience teach, on the moral-character.

It is not improper to remark that the Superintendent regrets that with all his care, he has not yet been able entirely to rid the bunks and cells of vermin. Is this the experience of all prisons?

The female prisoners are allowed sheets, which are changed weekly. The men are restricted to the use of blankets, which are washed from two to four times a year. This practice is perhaps like that of too many other prisons. But when the blankets are not washed for months, and the dust of the shops has caked and coagulated with the sweat of the body, can it be imagined that the prisoner will feel any great amount of self-respect as he turns in at night? Can it be expected that vermin will not breed in the desquamations of the skin, the excrementitious matter and other exudations of the person, with which the beds and bedding must become clogged and saturated? Will dirty blankets excite pure thoughts and emotions?

4. EDUCATION—MORAL AND INTELLECTUAL.

The criminal is to be regarded and treated as an imperfectly or improperly educated child, or as one with perverted faculties. Society having assumed the care of him should exert itself to remedy these deficiencies, defects, or perversions of education and character, and prepare him for the better discharge of his duties in his relations to others. Hence, all our prisons should be schools of the highest order, in these special adaptations. Herein, the failure is almost universal. It is to be hoped that a better day is before us.

The Albany penitentiary is feeling its way in this regard, towards the truth. It has its library of about 400 volumes, and the prisoners have time to read. They are allowed one hour at noon, in which to eat, rest and read. Again, at the close of the day, they have, through the year, an average of about two hours for reading; in the winter having the advantage of gas lights. No work is required of them on the sabbath. They are also supplied with slates and elementary school books. The superintendent expects hereafter to expend about \$200 annually, in the increase of the library. The chaplain, according to all the testimony I could gather, seems to be an earnest, faithful man in his work; but he is not required to instruct the prisoners during the week, in the topics generally embraced under the phrase, "common school education." His functions are purely spiritual.

It is to be regretted that Sabbath school and Bible class instruction is not given to the prisoners on the Sabbath, by the earnest Christian men and women of the city of Albany. How is it that they have so long overlooked the claims of these fallen brothers and sisters? Could the Young Men's Christian Association more worthily fulfill the high ends of their organization, than to inaugurate, under the sanction and with the co-operation of the inspectors and superintendent, as efficient a system of Sabbath school instruction as that which has been instituted, and been followed by such happy results, in the penitentiary at Syracuse and the State prison at Auburn? They will undoubtedly be interested in that part of the report of our examinations of these latter establishments, which treats of this subject.

5. PROTECTION AGAINST FIRE, &c.

The head of water in the city reservoir, from which the prison is supplied, is not sufficiently great to serve the purpose of extinguishing fires; and the distance from the city forbids much

reliance on its fire department, in the event of any serious conflagration. In reply to my inquiry, the superintendent admitted that in such a contingency, his resort must be to buckets. This is not as it should be, in an establishment heated chiefly by stoves, and occupied by nearly or quite 500 human beings, and over four fifths of these, criminals, restrained of their personal liberty.

Nor is there any excuse for this condition of thing; an efficient remedy being within the control of the proper authorities.

It will surprise those who have had occasion to know the great convenience and economy of a steam engine in institutions with large numbers of inmates, to learn that there is no power engine on the premises of the Albany penitentiary. The washing is done by hand, the heating is done by stoves, fires must be extinguished by homeopathic doses of water administered from buckets, and ventilation *works itself*.

Of course, the proper remedy is a steam engine. The flow of water from the city reservoir is sufficient for the supply of its boilers, and also for culinary, laundry, heating, bathing, fire and ventilating purposes; but the power is wanted to force it through the several systems of pipes, drains, tubs, &c. With it, all the buildings, dormitories, shops, &c., could be heated by steam; soil pipes could be introduced, doing away with many of the obnoxious features of the night bucket system; the washing, wringing and drying of the laundry department could all be done thoroughly and economically; the kitchen would have the advantage of steam for cooking; fresh air could be everywhere supplied in unlimited quantities, whilst the foul and exhaled air could as readily be expelled; and all the buildings could be promptly reached with large and powerful streams of water in case of fire.

It will not be out of place briefly to allude to the mistake that has been made in the construction of the drying room in the new building in rear of the north wing. This room is close, and with very little chance at the sunshine; the essential fact having been overlooked or set aside, that for drying clothes, so that they will retain no deleterious matter in the process, both a continuous current of fresh air, and all the light that can be had, are indispensable. It is not too late to remedy these defects, especially with the introduction of the steam engine.

A resolution adopted by the Board of Supervisors of Albany county, Dec. 3, 1863, authorizing "the superintendent, with the

advice and approval of the inspectors, to make, from time to time, such improvements in the buildings and grounds as may be necessary, to be paid for out of the surplus earnings of the penitentiary," affords the opportunity of inaugurating a system of improvements greatly needed, and more in accordance with the advanced state of penal science than the present make-shifts of the establishment; and of the necessity of these improvements no one, probably, is more sensible than the excellent superintendent.

In my conversations with the prisoners in their cells, without the presence of keepers, a fact in the discipline of the prison was brought to my notice, which I deemed it my duty to communicate to the superintendent. He frankly admitted that from information already given him, he had reason to believe the complaints to be just; and promised that the matter complained of, should be remedied. It is not needful to remark further on this, than merely to observe that it well illustrates the benefits to the cause of impartial and good government, to be derived from confidential intercourse with prisoners by disinterested and proper inspectors. In investigations of the economy and management of prisons, there are matters which can only be learned by the supervising authority from the prisoners; and whilst their statements are to be received with due allowance and caution, yet it is ever to be borne in mind, that it is not within the bounds of possibility for large numbers, or even for but few persons, to testify coherently and unanimously in relation to a given fact, when they are examined unawares, separate and apart from each other, without previous consultation and agreement, and of which fact they must each, under varying circumstances of position and observation, have been cognizant, unless this uniform testimony have its foundation in truth. Nor need the general character of the witnesses for veracity, under such circumstances, be regarded. It is a psychological impossibility that such testimony should be untrue.

My apologies are due to the executive committee of the association, for the deficiencies of this report in relation to several matters of interest, and which will be at once noticed by the intelligent reader. This may serve, however, as the starting point for a more thorough and complete investigation hereafter.

My grateful acknowledgments are due to the superintendent, Amos Pillsbury, Esq., for his courtesy and attention, and his ready response to all my inquiries.

New York, January 9, 1864.

R. N. HAVENS.

2. MONROE COUNTY PENITENTIARY.

The Monroe County Penitentiary and Work House, is situated in the open country, a short distance from the city of Rochester. Attached to it is a farm of 32 acres of fertile soil, well cultivated, which supplies all the necessary vegetables of the Institution.

The prison was erected in 1854, and consists of a centre building, occupied by offices and superintendent's residence, and two wings, one for males, the other for females, containing together 264 cells. It is of brick, very substantial, and presents a handsome appearance.

In addition to the main building, there are two large buildings, forming two other sides of a square, which are appropriated as workshops.

Contracts are in force for the reception of prisoners from the counties of Tompkins, Steuben, Genesee, Cayuga, Ontario, Wayne, Seneca, Livingston, Yates, Orleans, Chemung, Tioga and Schuyler, at the rate of \$1½ a week, for all under 3 to 4 months sentences, and of \$1 a week for those over 4 months, while for all U. S. prisoners \$1½ a week is received.

The number of inmates, at the time of the inspection, was 228, of whom 148 were males, and 80 females, which is about the usual average. The whole number received during the year ending Sept. 30, 1862, was 646.

The employments of male prisoners are shoe and boot making, coopering and barrel making. For the former occupation the institution receives 30 cents a day, of 10 hours, for each laborer. The coopering and barrel making are carried on by the institution on its own account, and is said to be profitable, the demand for the articles manufactured being large.

The women are employed in making rush and cane bottoms of chairs: For each cane seat for "single" chairs, 6½ cents is received, and large ones in proportion; 9½ cents is paid for flag seats.

The salary of the superintendent is \$1,400, of the assistant superintendent \$600. The kitchen matron receives \$200, and the female overseer \$150. The physician's salary is \$200, and the chaplain's \$250.

The hospital contained but one patient, a boy of 16, with a scrofulous disease of the arm. No pulmonary disorders were observed. Venereal affections are said to constitute the principal necessity for medical attendance. During the year ending Oct. 1, 1862, there were four deaths, 1 from choking, 1 from disease of

brain, 1 from erysipelas and 1 from dysentery and disease of brain. Since that date 3 deaths have occurred, 1 from suicide and 2 from delirium tremens.

The diet is good and nutritious, consisting of, for breakfast, meat, hash, and bread and water; for dinner,

Two days, pork, beans and bread,
do soup, meat and vegetables,
do corned beef, potatoes and bread,
One day, fish do do

For supper, they have mush and molasses. The meals are all eaten in the cells.

The supply of water is exceedingly scanty and insufficient; rain water caught in cisterns, furnishes a small quantity, and all the rest that is used is carted either from the river, which is a mile distant, or from wells half a mile off.

The bedding is changed, as occasion may require. The prisoners are bathed, and have their hair cut on entering, and they are shaved and bathed once a week. The prison dress is party-colored, black and grey. The shirts are changed weekly, and other clothing as circumstances may require. Shoes and stockings are allowed in winter, and also drawers to the feeble.

There are four tiers of cells—192 for males and 72 for females. On account of the number of prisoners being sometimes greater than the cells, the pernicious practice of doubling the occupants of them is sometimes resorted to. They are each 7 feet by 4, and seven feet high, with grated doors and stone floors, of a single slab each. The bunks are 6 feet by 2, fastened to the wall by hinges, which allow them to be turned up, iron legs supporting them when brought down. A bible and hymn book are placed in each cell. Cleanliness, notwithstanding the paucity of water, appears well attended to. Light is furnished at night until 8 o'clock by kerosene lamps, by which the prisoners are enabled to read.

There is a pretence at ventilation by tubes in the cell walls, opening into the cells at the lower, and into the attic at the upper end; but they were found, upon testing them, to be utterly inoperative. The roofs are surmounted by Emerson's ventilators, but there being no connection between these and the cell flues, they were of no avail. It was recommended as a partial, though very imperfect, means of removing the bad odor which pervades the entire prison, to make a direct connection between the cell flues and the ventilators on the roof.

The practice of showering has been abolished by a rule of the supervisors. Flogging is occasionally practiced by direction of the superintendent, but no record of it is kept; twelve stripes are the maximum at present. The dungeon has had but three occupants under the present head of the institution, one of whom was for an attempt on his life.

A library of 400 volumes is supplied by the institution for the use of the prisoners, and is freely used. There is no provision for secular instruction.

The social relations, age, education, &c., of those committed during the year ending October 1, 1862, were as follows:

<i>Social Relations.</i>	
Wife and children	164
Husband and children	90
Parents	80
Wife	35
Husband	36
Children	70
Father	26
Mother	49
None	96
Total	646
<i>Age.</i>	
Under 20	106
From 20 to 30	160
30 to 40	157
40 to 50	119
50 and over	104
Total	646
<i>Education.</i>	
Read and write	350
Read	139
None	157
Total	646
<i>Color.</i>	
Black	54
White	592
Total	646
<i>Habits.</i>	
Temperate	189
Intemperate	457
Total	646

<i>Health.</i>	
Good	643
Indifferent	2
Insane	1
Total	646
<i>Religion.</i>	
Protestant	350
Catholic	294
Jewish	2
Total	646
<i>Sex.</i>	
Male	417
Female	229
Total	646

The only classification is that for labor, according to the length of sentence.

Of the 646 admitted during the year ending October 1, 1862, 256 were natives, and 390 were foreigners.

Visits are allowed once a month from relatives and friends; but no conversation with prisoners is permitted except in the presence of the superintendent or his deputy. Monthly correspondence is allowed, stationery being supplied to them, and all letters are inspected.

It is the opinion of the officers that seven-eighths of the crimes for which the prisoners are committed are attributable directly or indirectly to intemperance.

The discipline of the prison is that of enforced silence, and punishments, more or less severe, are the results of infractions of the rule.

On leaving the prison, money to the amount of a half dollar, a dollar, or two dollars is given to the discharged criminal, if it is believed that a proper use will be made of it. Passes are given to those from other counties. Those who have been detained on long sentences are supplied with decent suits of clothing on discharge.

But one escape during the past year has occurred, which was by the running away of a man who was working outside the building. No overwork is allowed, and no extras but tobacco. Friends are permitted to bring extra articles of food occasionally, but the benefit of the practice is doubted.

With regard to the general condition of the institution, its discipline, its sanitary relations, except ventilating, the efficiency of its management, its financial prosperity, and the moral results observable, the undersigned deems it but proper to say, that these reflect the highest credit upon the officers, both secular and professional, and that the system here pursued for the custody and reformation of short term prisoners, is one which eminently commends itself to the common sense and interest of the whole State.

Respectfully submitted,
NEW YORK, July, 1863. JNO. H. GRISCOM, *Committee.*

3. ERIE CO. PENITENTIARY.

This institution was examined by the undersigned on the 11th June, 1863, and it is with much satisfaction that he is able to report its great superiority, in almost every respect, over the county jail in the same city. While the latter presents but an antiquated, dilapidated, rude and insalubrious appearance, the former is furnished with almost every modern appliance for the proper custody, health and industrial improvement of its inmates, deficient only, as appeared to the undersigned, in means of secular and religious instruction.

The outer walls of the penitentiary, which are of stone two and a half feet thick, and from twelve to sixteen feet high, inclose an area of nearly five acres, and most of the portion not occupied by the prison buildings and workshops, is under successful cultivation for vegetables for the use of the inmates.

There are two prison buildings, one for each sex; that for the males containing 70 cells, 22 of which contain two bunks each, making accommodations for 92 persons. The female house has 80 cells. These are distinct from the workshops, which are located in a distant part of the premises (except the chair and sewing shops, which adjoin the female prison, being occupied alone by that sex), but are in near proximity to the officers' and keepers' residences.

The cells in the male prison are in three tiers; those in the female prison in four tiers, all in the middle of their respective buildings, with open corridors between them and the outer walls. The attic of the male prison, which takes the place of the fourth tier of the female department, is arranged in nine small rooms, occupied, one as a shoe shop, the others as dungeons and hospital apartments.

The bunks are all of iron, six feet long, two feet wide and three feet high.

The ventilation of the cells, though not upon the most recent and best approved plan, is nevertheless much in advance of any other institution of the kind, known to the undersigned. It is dependent entirely upon the trifling change of temperature of the air, produced by the heat of the body, and is effected through perpendicular tubes which traverse the walls between the cells, connected at the lower end with the cells by an aperture about four inches square, and terminating above the roof. The great faults of this arrangement are the inadequate size of these tubes, and the absence of a sufficient motive power to produce a current in them. In many prisons the tubes terminate above at the floor of the air-tight attic, and are unconnected with the external air, whereby they are entirely useless as ventilators. In the present case, imperfect as it is, the arrangement appears to have some effect.

In both departments cleanliness is carried to the highest degree. The cells and floors are scrubbed daily, and the whole establishment is kept in admirable order. There is no evidence whatever of the presence of vermin, a fact alleged to be owing to a unique method of destroying them, adopted by assistant superintendent Harris. He states that he saturated every available part of the cells with alcohol, injecting it in the holes and crevices, and then set the fluid on fire, a certain method of destruction of the insects, though of course only available in fire proof situations.

Night tubs are used in each cell, and emptied and cleaned daily. A marked change in the sanitary condition of the institution is said to be observable, since it came under the charge of the present efficient superintendent, Mr. Charles E. Felton, whose intelligent and faithful administration in this respect is certainly distinguished by one rare fact, the entire absence of any prison odor so common elsewhere.

The clothing of the inmates is uniform in color, sufficient in quantity, and the underclothing is changed every week. The supply of water is abundant for all purposes. Every prisoner on entering, is bathed in warm water, receives an entire new dress, and the men are shaved and have the hair cut. The bathing is repeated every fortnight, and the shaving every Saturday. The sheets and pillow cases are changed once a week, and the bed straw once or twice a year.

The diet of the prisoners is variable and liberal. Twice a week the breakfast consists of coffee, with sugar and milk, on the other days, of meat, soup and bread. Dinners consist of meat, potatoes and bread, carrots and beets, with vinegar, and such vegetables as are raised on the grounds of the institution; tomatoes, turnips and cabbage in their seasons. Bean soup is given three times a week. The supper consists of mush and molasses, and occasionally milk; no supper is given on Sundays. All the meals are taken in the cells.

The natural result of these attentions to the hygienic welfare of the inmates is an excellent state of health, evinced by the entire absence of sickness among the females, while the male hospital contained but two patients with trifling complaints, and those due to previous habits of life. No case of insanity, other than delirium tremens, which is quite frequent, has been known there.

No classification is made except that of length of sentence, and that only for the purpose of placing them in upper or lower tiers of cells. As to punishment, neither the cat nor bolt, nor shower bath is used, the only penalties being confinement to the dungeon on bread and water, or occasionally privation of rations.

The prison has no library, and no provision for instruction in secular knowledge.

A regular chaplain, Rev. Otto Burger, holds service in the chapel once on Sundays, but there is no other religious instruction, not even by tracts or other kinds of reading. This deficiency appears to be properly appreciated by the superintendent, who gladly received and stated his determination to act upon a suggestion made by the undersigned to him, to appeal to the people of Buffalo, through the press and the pastors of the churches for the collection of a library for the prison, by donations of books and magazines from their private libraries, a plan adopted by this association on behalf of another large prison in the State, and which proved eminently successful. Their relatives are allowed to visit the prisoners once a month, and converse with them in the presence of the subordinate keepers. Pupils of the public schools—in bodies of from 10 to 40 at a time, make occasional visits, and correspondence with friends is allowed—paper, ink, and stamps being furnished by the institution.

The "silent" system of discipline is enforced in this institution, with about the usual degree of success.

One prisoner escaped during the year, by scaling the wall; he was recovered.

In addition to those from the county of Erie, in which it is situated, this penitentiary receives prisoners from the counties of Niagara, Cattaraugus, Wyoming and Genesee, by which counties the sum of one dollar a week is paid for the board and clothing of each prisoner, the institution recovering the additional cost of their support from their labor. The regular contract price for all males who work over 20 days, is 20 cents per day, and 12 cents for those who work less than 20 days. The contract price for all the females who work is 15 cents per diem for any number of days. The work is all done by task, and no advantage is gained by over-work. Tobacco is the only extra allowance.

The industrial occupations are 1st, the manufacture of hames and saddletry hardware, at which there are at present employed 70 men and 34 women, on contract.

2nd. Cane and rush chair-seating, in which 19 women are employed. Besides these, two men are engaged in making shoes for the establishment, four in gardening, two sawing wood, two in painting (temporary,) one as a baker, and ten women are employed in sewing for the inmates, and eight in the kitchen and laundry.

The whole number of prisoners committed during the year ending Oct. 1, 1862, was 1,770. The number in confinement Sept. 30, 1861, 152, making a total cared for during the year of 1,922. There were at the time of the visit, 178, of whom 87 were males and 91 females, a reversal of the proportions usually found, and to be accounted for probably by the withdrawal of many small offenders, accustomed to find homes in this and similar institutions, into the ranks of the army, where it is hoped the better discipline to which they are subjected, will elevate and prepare them for more honorable lives in future. The cells are sometimes occupied by two prisoners, and occasionally they are "herded" in the halls and large rooms.

The water used is from Niagara river, furnished by the water company at a cost of \$200 per annum, but there are no facilities as stated by the superintendent, for extinguishing fires, for which he intends asking for an appropriation from the supervisors.

From the books of the institution no facts can be ascertained as to the religious education of the convicts, at all reliable. All would, when asked the naked question, "have you received

a religious education," answer in the affirmative. Few teetotalers can be found, and almost all may be called of "intemperate" habits and sabbath breakers. Very many are of licentious habits, especially of the female convicts.

The employees, with the pay of each, are as follows:

Superintendent, C. E. Felton	\$1000	per annum.
Principal matron, Mrs. Felton	250	" "
Depty. Supt., A. P. Harris	600	" "
Prison keeper, D. Huff	400	" "
Keeper of male workshop, W. Stearn	600	" "
Keeper of female workshop, L. J. Norton	350	" "
Yard man, C. E. Powlis	350	" "
Clerk, M. G. Gilbert	200	" "
2 guards, each	200	" "
3 matrons, each	200	" "
1 gateman	180	" "
3 commissioners, each	150	" "
1 physician	225	" "
1 chaplain	150	" "

Respectfully submitted,

JNO. H. GRISCOM.

NEW YORK, July 1, 1863.

4. ONONDAGA COUNTY PENITENTIARY.

The Onondaga County Penitentiary, in the city of Syracuse, was visited and examined by the undersigned, on Thursday, the 20th day of August, 1863. This prison was created by special statute, and was organized and went into operation in the year 1850, and is consequently now in the thirteenth year of its existence. The present superintendent is Mr. Isaac Baum, to whom my thanks are due and tendered, for the courtesies received from him, and the facilities extended to me in the performance of the duty laid upon me by the Association.

The Penitentiary stands upon a hill, within the city limits, but beyond the range of private residences, and one mile distant from the post office. It commands a fine view of the city, the surrounding country and the adjacent lake of Onondaga. In point of healthiness, no locality in the state can be superior to this.

The prison consists of a main building, 64 feet by 56 feet; one wing, called the east wing, 100 feet by 50 feet; one workshop for males, 127 feet by 50 feet; and one workshop for females, 112 feet by 27 feet. All these are of brick, and appear to be substantially built. According to the original plan of the prison,

there was to be a west wing, corresponding in all respects to the other. That this design should be carried out with all practicable speed is demanded by the health, discipline, convenience and comfort of the female department of the institution.*

There are 104 cells in the east wing, which are appropriated to the male prisoners. The cells are eight feet in length by four in width, and the bedsteads, which are of iron, are seven feet long. The cells are kept clean and sweet, being whitewashed as often as once or twice a month. There are some bedbugs, but this pest, by dint of attention and care, has been greatly moderated within the past two years. There is but one occupant to a cell. Once only, within the last three years, has it been necessary to put two prisoners in a cell; and then only to a very limited extent. The cells are lighted by day through the grated doors, and at night by gas. There is light enough to enable the prisoners to read comfortably. There is no ventilation for the cells, except through the doors; but the hall has twelve ventilators to carry off the foul air. The prison is warmed by stoves, there being one for the consumption of coal, and three for wood. The heat from wood is deemed the healthier.

Each cell is provided with a bible.

The prison seems reasonably secure, but constant vigilance is required. Few escapes occur.

Night tubs are employed to meet the necessities of nature, which are emptied and cleansed daily.

There is a farm of thirteen acres belonging to the penitentiary, which is worked by the prisoners, and is therefore as effective in defraying prison expenses, as cash earnings to the same extent would be. The farm is in a high state of cultivation, and yields, for its size, a large return, as may be seen from the following statement of products for the year 1862. The yield was: 8 tons of hay; 189 bushels of oats; 30½ bushels of rye; 585 bushels of potatoes; 150 bushels of carrots; 120 bushels of beets; 40 bushels of parsnips; 15 bushels of turnips; 6 bushels of onions; 1,500 heads of cabbage; and peas and beans enough for family use while green. Three-fourths of an acre was planted with sweet corn, which yielded abundantly, and was served to the prisoners daily for nearly two months. A large supply of to-

* While these sheets are passing through the press, the telegraph reports the destruction, by fire, of the entire premises.

atoes was also raised and fed to the convicts. Abundance of currants, gooseberries, grapes and plums, were produced, with a limited supply of apples and pears. There were raised, fatted and killed, hogs enough to yield 1,957 pounds of pork, most of which was used on the premises. There are now on hand 24 shoats, averaging 150 lbs. live weight. The greater part of all that is produced on the farm is consumed within the prison; nevertheless, products were sold last year to the amount of \$271.708.

It has been stated that the original plan of the penitentiary contemplated the erection of an east wing for the use of female prisoners. This part of the design has never yet been carried into effect, and the consequence is a most ill-contrived, inconvenient, and every way unsatisfactory arrangement for the accommodation of the female portion of the inmates. The cells for this department are in the main building, are only 27 in number, (so few that the prisoners often have to be duplicated,) and more than half of them, as the prison physician said in his last report, "are but a series of dungeons, inaccessible to light or air, which, without the unceasing efforts of the superintendent and his subordinates, would be a great source of endemic disease." The board of supervisors ought not to allow another year to pass without the addition of another wing to the penitentiary buildings. Justice, humanity and policy, alike dictate a speedy completion of the original plan.

The superintendent with his family resides in the prison, and all the subordinates board with him, their living constituting a part of their compensation. The officers are, a superintendent, a deputy superintendent, an overseer in the male workshop, a matron in the female department, (who is also overseer in the female shop,) an overseer of out-door convicts, and an instructor of the prisoners in their mechanical operations.

The number of prisoners in the penitentiary at the time of my visit was 89, of whom 31 were women. The average number of inmates during the year has been 104. There were also a dozen or more jail prisoners, for, be it observed, the jail of Onondaga county is kept within the penitentiary buildings.

The number of prisoners received into the penitentiary during the last year was 416; of whom 277 were males, and 139 females; 381 were whites, 26 colored, and 9 Indians; 242 were married, and 174 single; 54 were under twenty years of age, 129 between

twenty and thirty, 85 between thirty and forty, 86 between forty and fifty, 40 between fifty and sixty and 22 between sixty and seventy.

The offences for which they were committed were as follows: Drunk and disorderly, 155; vagrancy, 64; assault and battery, 62; petit larceny, 51; prostitution, 23; public intoxication, 21; inmates of disorderly houses, 15; violation of excise, 9; breach of peace, 5; malicious trespass, 5; keeping disorderly house, 4; receiving stolen money, 1; violation of city ordinance, 1.

The educational advantages enjoyed by these 416 convicts are seen in the following statement: 104 (just one-fourth) could not read; 102 could read only; 210 could read and write.

The prisoners in the penitentiary are all required to work. The only branch of contract labor carried on in the prison at the present time, is the manufacture of saddlery hardware; although up to January of the current year, cane-seating had been the principal occupation of the convicts. About a dozen of the prisoners are employed on the farm and in various household operations; the rest work in the shops.

The total earnings of the convicts employed on contract labor during the last year amounted to \$3,051.88, and the total expenditures to \$7,396.70; giving an excess of expenditures over earnings of \$4,364.82. Now, both the Albany and the Monroe county penitentiaries not only pay their way, but earn a surplus. Why such a difference?

The penitentiary here supports the jail, which is not the case in the other counties named. The jail is, therefore, a dead weight upon the penitentiary. If this were the case in Albany and Monroe counties, the result, it is claimed, would be the same.

The salary of the Superintendent is \$700; of the deputy Superintendent, \$500; of the other male officers, \$400; and of the matron, \$5 per week. But all have their living from the Institution in addition to their salaries.

The hygienic and sanitary condition of the Institution is excellent. Only one death occurred during the last year. The health of the prisoners usually improves rapidly under the prison regime of hard labor, wholesome diet, abstinence from drink, and regular habits. The diseases are, for the most part, those resulting from the previous vicious habits of the inmates, of which delirium tremens and venereal affections are the most common.

The food, though coarse, as the law requires, is good, wholesome, and abundant. The convicts have, for breakfast, beef, bread, coffee, and often vegetables; for dinner, boiled beef, fresh or salt (one about as often as the other), soup uniformly, and vegetables—generally two kinds; and for supper, mush and molasses. The diet, so far as vegetables are concerned, is changed according to the seasons. The prisoners take their meals in the cells. They are allowed one hour for dinner.

The only supply of water in this penitentiary is from cisterns; of course, it cannot be as abundant as would be desirable. This has, heretofore, been a source of much inconvenience. A partial remedy has been applied, within the past year, in the erection of two large additional cisterns.

The convicts wash in the morning in the main hall of the prison, coming from their cells in divisions of twelve to fifteen. They wash before dinner and supper in the workshops. There are no bathing tubs. On Sabbath morning, however, after being shaved, the prisoners have an opportunity for a general wash, at which time they usually wash the entire person. They are shaved weekly, and their hair is cut often enough to keep it pretty close. Their bedding is changed every week. They have two blankets in winter, and one in summer.

The coats and pantaloons of the convicts are made of coarse cotton cloth; the two sides of each being of different colors, dark gray and light gray. The shirt is made of ticking. A suit consists of pants and roundabout. Their clothes are washed and changed weekly.

The discipline is strict, and rigidly enforced. Mr. Baum I take to be a man of great decision and energy, who means to have his rules obeyed, and who, in effect, sees that they are obeyed. The punishments used are the dark cell, the iron yoke, weighing fourteen pounds, the buck, and showering, this last never used alone, but added to the yoke, and applied always to the mouth. A refractory prisoner will generally yield to the yoke in about an hour; cases have occurred, however, in which such an one would stand it out for seven hours. The yoke and the buck are used six or eight times a month; showering not more than twice a month. Punishment by the dark cell is not often employed, for the reason, Mr. Baum says, that it takes too long to subdue a man, that way. This indicates the principle on which punishment is inflicted here under the present administra-

tion—sharp, severe, and quickly operative. Mr. Baum's own estimate of the excellence and efficiency of this system is seen in the following extract from one of his recent reports: "I have reason to believe that the discipline, both in the jail and penitentiary departments, is second to no institution of the kind in the State, for which I feel grateful to my subordinate officers, who have ever been prompt in the discharge of their duties in the wants and care of prisoners. There has not been the slightest indication of any insubordination on the part of any prisoner. Peace and harmony prevail, which is the strength and support of all institutions." The discipline, I think, would be no less effective, and probably, in the long run, more salutary, if the resort were more frequently to moral means. Punishments are directed solely by the Superintendent, or, in his absence, by the deputy. As to the effect of punishment, Mr. Baum thinks it good when the offender is thoroughly conquered. His dictum is that prisoners never should be half punished.

I would recommend the disuse of the "buck" as a means of discipline.

There is a small library in the prison, containing 158 volumes. The distribution of these books among the convicts is upon a principle quite simple, if not very philosophical. Every Sabbath morning they are passed along from cell to cell in regular succession, without any regard to the taste of the receiver, or even of his ability to read them at all. The prisoner, whose education has not reached the point of being able to decipher printed characters, must, nevertheless, receive his volume in turn, and, moreover, must see that it receive no detriment, for the deputy inspects each book as it is returned to him, and wo betide the man, by whom it has been in any manner injured or defaced. The books are highly prized by most of those who have the ability to penetrate their arcana, and good and profitable use is made of them. The library was only established within the past year, the board of supervisors having appropriated \$75 for the purpose. It is to be hoped that having made so fair a beginning, they will follow up the good work by a moderate annual appropriation to increase this intellectual reservoir.

As to the causes which have operated to impel the wretched and degraded inmates of this penitentiary to a course of crime, we have the old story over again; intemperance, ignorance, sensuality, idleness, vicious companions, want of a trade, early loss

of parents, (particularly the father,) Sabbath breaking, &c., &c. Of the 416 committed last year, 391 admitted themselves to be intemperate. Yet it is the opinion of Mr. Baum that the immediate, most prolific source of crime is licentiousness. He says that he has received a boy of nine years of age, who was suffering from syphilis, and a girl of thirteen,—to use his own words,—"rotten with venereal."

There is no chaplain stately employed for the prison. Every Sabbath afternoon, however, at 2½ o'clock, a religious service is held in the prison chapel, at which the various pastors of Syracuse officiate in turn. The sum of \$150 is appropriated by the supervisors to remunerate these gentlemen for the services thus rendered. I am of the opinion that it would be better to appropriate that money, or more if necessary, in employing some one of the pastors (who should be deemed most competent and be willing to undertake the labor) to officiate stately. After the preaching service, there is held in the chapel a Sunday school, which is taught by pious and benevolent people residing in the city. Generally three or four ladies and five or six gentlemen engage in this service on each Lord's day, and spend an hour and a half therein. All the prisoners are required to attend this service. Mr. Baum, in his report for 1860, says: "The inmates take a very great interest in it, and it is really surprising as well as pleasing, to witness the avidity and readiness with which they answer the questions, and the interest that all take in the exercises. I am satisfied that it [meaning the instruction given] will make a great and lasting impression on the morals of the unfortunate inmates, and will be like 'bread cast upon the waters, to be gathered after many days.'" When the convicts are discharged and leave the prison walls, a copy of the New Testament is presented to each by the organization, (I think it is the Young Men's Christian Association,) which takes charge of the Sabbath school. In one instance only has the gift been declined.

One only of the present inmates of the prison is insane.

The prisoners are allowed to write letters once a month, and oftener if there is an urgent occasion. As a matter of course, all prison correspondence is subject to examination. The privilege of corresponding is quite extensively used.

No prisoner, whose sentence is less than thirty days, is permitted to receive visits from friends, except in cases of special importance. Those sentenced for a longer term than thirty days

may, as a general thing, see their friends who call, but always in the presence of an officer, and the conversation must be in a tone of voice loud enough to be readily heard by him. Visits must take place in the prison office, and are limited in time to fifteen minutes.

No money is given to convicts on their discharge.

The shortest term of sentence during the last year, was ten days; the longest term one year; and the average term seventy-two days. A fraction over one-half the number received were foreigners.

The jail prisoners here are kept in solitary confinement.

All which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, *Sept. 11th, 1863.*

5. KINGS COUNTY PENITENTIARY.

The undersigned, a committee of the Prison Association of New York, visited and examined the penitentiary of Kings county, situated in the city of Brooklyn, on the 23d day of October, 1863, and report the following as the result of said examination.

The building is situated within the limits of the city of Brooklyn, near Flatbush. It is surrounded by 38 acres of land, belonging to the prison.

The material is blue granite, obtained on the ground; the building is a substantial and handsome one; the main body is 76 feet long and 70 feet wide; attached thereto are two wings, each 200 feet long; it is not connected with any other building; the wings contain the cells of the prison—one for males—the other for females; there are 400 cells—232 for males—168 for females; we think the condition of the prison as to security is good, although there is no wall surrounding the prison; the intention is to construct one; the main building is occupied by the keeper—most of it is not used at all for any purpose; it contains a large, airy, well ventilated chapel.

At the present time, (Oct. 23,) there are 291 prisoners—98 males and 193 females.

During the past year there have been—males, 320; females, 554; total, 874.

There were committed for

	Males.	Females.
Assault and battery	51	13
Burglary	2	0
Disorderly conduct	2	0
False pretences	1	0
Felonious assault	2	0
Forgery	2	1
Indecent exposure	2	0
Intoxication	3	1
Manlaughter	1	0
Petit larceny	61	60
Vagrancy	193	479
Total	320	554

The male prisoners are engaged in work outside the prison—repairing roads—digging, grading, and breaking stone on the prison grounds: also working for farmers in the neighborhood at \$5 per day for 8 men and a keeper. The prisoners working outside are generally unchained. They work from 7 o'clock in the morning to 6 o'clock at night.

The female prisoners work inside the prison at sewing.

The supervisors made a contract at the rate of 5 cents per day for each prisoner. They are not employed all the time now.

The officers are a warden, and eight keepers. The warden's salary is \$1,200. The pay of the keepers is \$2 per day when on duty. There are two teamsters driving two yoke of cattle at \$1.50 per day, and a blacksmith at \$2.

The physician (Dr. Zabriskie of Flatbush,) receives \$400 per year, supplying all the medicines.

It costs seven and a quarter cents per day to board each prisoner.

The prisoners make, mend, and wash their own clothes.

There are very few cases of sickness. The location of the prison is a healthy one.

Generally there is more sickness among the females than the males, probably because the latter work in the open air.

The sick prisoners suffer mostly from general debility and broken constitutions—the result of previous bad habits.

The prisoners do not stay here long enough to develop pulmonary complaints.

There are no cases of scrofula. The warden supposes there are some venereal affections.

There have been seven deaths during the year, several of them children—the adults of delirium tremens.

The prisoners have three meals per day. On Sundays and Thursdays they get fresh meat for dinner. On Mondays and Fridays they have codfish.

For breakfast they get bread and coffee. For supper, mush five days in the week and rice two days. Bread every day for dinner. This system runs through the year.

The quantity given is limited but sufficient.

The prisoners take their meals in the cells.

The prison is supplied with water from cisterns, conveyed by force pumps. The prisoners wash at large troughs.

There are no conveniences for bathing except wash tubs, brought into the wash house. We do not approve of the plan in this respect. There are not facilities enough.

The prisoners shave once a week, hair cut when necessary.

The clothing is provided at the expense of the county. There is no complaint as to its being insufficient. The clothing is changed every week.

The men are dressed in a suit of brown gray made of "kersey," marked "Kings County Penitentiary."

The women are dressed in a blue dunham—a cotton article.

There are 232 male cells, 160 cells for females, all of the same size—about eight feet long and five feet wide.

The beds or bunks are about seven feet long.

The cells are warmed by large stoves in the halls; and lighted at night by lamps in the halls.

There is a ventilator in each cell.

Bibles are provided whenever asked for. On Sundays the keeper goes around among the cells and gives them to all who desire them.

The cells are kept clean, sweet, and free from vermin.

Covered cans are used at night and emptied every morning. There is no other provision for meeting the wants of nature.

The usual punishment inflicted on obstinate and unruly prisoners is putting them in close confinement in a dark cell, for from one to ten days.

The cat is not used. Occasionally the warden of the prison

uses a cowhide, but this occurs but seldom. The keepers are not allowed to use it except by his permission expressly.

There is a small collection of books, about 120 volumes in all; no regular library. They are distributed on Sunday morning.

There is no provision for daily instruction. The prisoners are kept at hard labor all day.

Very few of the prisoners seem to have had religious training. At least half of them are habitual drunkards, and of the rest the larger moiety may be set down as intemperate.

Friends are permitted to visit the prisoners once a month—the first Thursday—under the supervision of one of the keepers.

The prisoners are allowed to interchange letters with their friends, on condition that all letters sent or received be first inspected by the keeper.

Not many letters are written.

There is no regular chaplain. The board of supervisors have given Mr. McKellum, a clergyman in the vicinity, the privilege of supplying religious instruction, and he sends some minister on Sunday afternoons. The warden allows no other person to hold religious meetings.

Persons are allowed to distribute tracts under the supervision of a keeper.

There are no prisoners laboring under insanity at present.

There have been such cases, but they have been immediately sent by the physician to the lunatic asylum. Cases of insanity are not numerous, not more than four or five per year.

Intemperance has been the principal cause of crime, as far as the inmates of this prison are concerned. Fully nine-tenths of the prisoners have been more or less addicted to the use of intoxicating liquors.

The keeper cannot recall the case of a single convict who has been totally abstinent.

No money is given to a prisoner on his discharge.

Except in privileged cases, strict silence among the prisoners is enforced.

The average length of sentence is about four months.

Two prisoners have escaped during the year. One was re-captured. They escaped while working outside.

Prisoners are not allowed to obtain extras for their own money. They are confined to prison fare, except when on the sick list.

No portion of the building is appropriated to hospital pur-

poses. In some cases sick people are sent away to the hospital, but most generally they are allowed to remain in their cells.

The examiners are of the opinion :

1. That the female prisoners are not allowed exercise enough in the open air. There ought to be a prison yard, into which they might be permitted to exercise once or twice a day.

2. More facilities should be afforded for bathing, in the case of all the prisoners.

3. Little or nothing seems to be done for the prisoners in the way of moral reform. There ought to be more bibles and religious books; also a well selected library of miscellaneous reading.

4. Furthermore, we should be glad if a short daily morning service could be instituted in the chapel. It would encroach very little on the working hours, and might have a most healthy moral effect.

All of which is respectfully submitted.

A. S. VAN DUZER,

E. RICHARDSON, *Committee.*

6. PENITENTIARY ON BLACKWELL'S ISLAND.

[As the hospital is the only department of the penitentiary on which the special committee reported with any degree of fulness, it was judged best by the executive committee to give only that part of the report to the public.]

Your committee visited the *Island Hospital*, a large edifice, principally appropriated to the reception and treatment of the class of females, largely abounding in this city, and well described in scriptural language as those "whose feet go down to death; whose steps take hold on hell."

The number admitted to the hospital during the year was 4,429. Here are seen the most frightful ravages of both body and mind, the consequence of gross and protracted violations of the 7th commandment. Here is beheld a picture of the dreadfully desolating effects of immorality, which no imagination can conceive, and of the horrible abyss into which they plunge who lose their every sense of shame and every principle of virtue, in the willful indulgence of illicit passion.

The necessity for such an institution is the blackest stain upon the escutcheon of humanity; but when it is remembered that every inmate of this hospital, and hundreds of others similarly

affected, who do not seek refuge here, before yielding to the necessity of the treatment, have doubtless contaminated large numbers of the other sex; some idea may be had of the direful extent of this blood-poisoning, body-corrupting, and soul-destroying disease in the community at large; while, in the opinion of your committee, the principle upon which the inmates are received into this institution, renders the committee and the law *particeps criminis*, and promoters of the very evil it is supposed to check.

In former years the mode of admission was principally by a magistrate's commitment, on confession, for a definite period, to the penitentiary as vagrants, and then as sick persons, they were transferred to the "penitentiary hospital," where they remained under treatment until the expiration of their terms of sentence, when, whether wholly or partially cured, they were discharged to resume their horrible vocation. It thus happened that in numerous cases, probably a majority, with the most loathsome and directly contagious disease still upon their persons, they went forth to ply their fearful trade.

The system is now so far changed that the odium of vagrancy or criminality no longer attaches, and these unfortunate females are admitted to the city's care simply as patients, upon application to the "*Commissioners of Charities and Correction.*" This is, therefore, merely a "*civic veneret hospital,*" the patients being under no legal restraint, and allowed to leave whenever they think proper. They may, therefore, depart before being cured of the disease, the inevitable consequence of which is, the contamination of, it may be, a large number of males by each before she again enters the institution.

It is a striking commentary upon this mode of life, that the "feet of its followers *early* 'go down to death.'" They rarely live beyond the age of twenty-five, and it was noticed that few of these in the hospital confessed to more than twenty-one years of age.

The full extent of the destruction of health, and of the desolation of individuals and families by these short lived conveyers of the worst of all poison, can be known only to the Omniscient One. But enough is known from medical and other testimony, to induce the apprehension that without some police restraint or interference, the foundations of society are in danger of being sapped, and of the wretchedness now felt in too many families

becoming universal. What course may be the best for the arrest of this dire evil, is a question for the most astute and philanthropic minds to consider and determine.

But the system now practised by the city authorities appears to your committee, in the light of a premium upon, rather than a corrective or preventive of, the vice in question. The prostitute is allowed to follow her vocation without restraint, until so much diseased as to render it necessary for her own good to go to hospital, (having continued at the business of infecting others until reluctantly driven from it by personal suffering,) where, without charge, she is admitted and treated, and in due time suffered to depart, to return to the brothel. The city thus aids her to pursue the devastating business, saying to her in effect, "go contaminate all you choose, and when sick come back again to us, and we will relieve you and restore you as soon as possible to your pursuit."

The brothel keepers, doubtless, find this a most convenient and economical method of getting rid of their victims, when their condition is such as no longer to enable them to earn the "wages of sin," and they are ready to receive them back when cured by the charity of this benevolent city.

We have said enough upon this topic to convince every thoughtful mind that some radical reform is necessary in this department of "public charities," to prevent the further spread of the "social evil," and thus save the souls and bodies of the many thousands of both sexes, who, every year, go to early graves from the effects of this insidious and almost incurable disease.

JAS. C. HOLDEN,
HENRY P. MARSHALL,
FRANK W. BALLARD,
Committee.

NEW YORK, January 5, 1864.

C.

REPORTS ON JUVENILE REFORMATORIES.

I. THE WESTERN HOUSE OF REFUGE.

This institution, situated at Rochester, Monroe county, was visited and examined by the undersigned, in the month of June last.

The modern class of preventive and corrective institutions, of which this is one of the largest, best managed, and most useful, have ingratiated themselves so thoroughly in the sympathies and good feeling of the American public, and have become so well known throughout the civilized world as of peculiarly American origin, that it seems necessary to say little more of this institution, than that it fully sustains the excellent character belonging to its class generally.

To the State and city of New York belongs the credit of having initiated the noble practice of separating juvenile from adult offenders, and erecting for the former a distinct institution, in which, as in a home, they may be rescued from the contaminations of the common jail, and instead of being subjected to the degradations of prison life, they may be instructed in morals, school learning, and some useful handicraft, and thus be rescued from the evil course, which a commitment to prison would certainly entail.

The first house of refuge was opened in the city of New York on the first of January, 1825, on the site of the present Madison Park, in buildings before occupied as a U. S. arsenal. The great utility of the institution, not only as a refuge from sorrow and crime, but also as a reformatory and preventive, soon became manifest, and we are now wholly spared the sad necessity, over which our immediate ancestors mourned, of seeing the hoary headed and the youthful criminal breathing the same atmosphere, with the certain contamination of the latter by the former.

It was therefore, with no ordinary interest that the institution above named, the second in this State, was visited. Here were

found about 400 youths, in a capacious, and even elegant building, under admirable government and discipline, well fed and clothed, receiving good school instruction, and taught various useful trades and lessons of industry, to fit them to act the part of good American citizens, as many hundreds of the former inmates are now doing, who, but for these institutions would doubtless have become inmates of severe penal establishments. In contrast with the method of management pursued in some other of the largest penal institutions of this State, the undersigned cannot avoid an expression of the gratification experienced at the manifest superiority exhibited in this and other similar institutions. It may suffice to say that political partzanship here is allowed no voice, the only governing motives and principles being benevolence, patriotism and integrity.

The selection of the right man for the right place, in the person of the present superintendent, his retention in office since the opening of the institution, leaving him unembarrassed by any fear of removal as long as his duties are as faithfully discharged as heretofore, is a testimony to the virtue and independence, alike of the board of managers and the superintendent; an example which cannot be too strongly commended for adoption by State and local authorities everywhere, as the true policy.

JNO. H. GRISCOM,

NEW YORK, Nov. 24, 1863. *Committee Prison Association.*

2. THE ROCHESTER TRUANT HOME.

On the 30th day of August, 1863, after the close of divine service in the Western House of Refuge, where I had preached to the delinquent boys of that institution, the Rev. Mr. Nichols, chaplain of the Refuge, and myself, made a visit to the Rochester Truant Home.

The law under which the Truant Home was organized, was enacted by the Legislature, April 12th, 1853. It has seven sections, and its provisions, briefly stated, are as follows:

Section first, provides that if any child between the ages of five and fourteen shall be found wandering about any city or incorporated village, idle and truant, any justice of the peace, on complaint under oath, may require the parent, guardian, or master of said child, to enter into a written engagement, with security

if required, to restrain him from such vagrancy. If the child has no parent, guardian, or master, or the parent, guardian or master refuse or neglect to enter into the required engagement, the magistrate may commit the child to a reformatory institution, for which provision is made in the said section.

Section second, provides that for the habitual or intentional violation of the engagement referred to in the foregoing section, the parent or guardian may be fined fifty dollars, and the child must be committed just as if he were without parent or guardian.

Section third, requires that the corporate authorities of every city and incorporated village provide a suitable place for the children committed under this law, and also that they make provision for the due instruction of such children in the elementary branches of an English education, for their employment in some useful occupation, and for their proper clothing and support. It further provides that the children so committed shall be kept in such place till discharged by the commissioners of the almshouse or overseers of the poor, and that they may be bound out as apprentices by these officers under certain specified restrictions.

Section fourth, provides that the expense of supporting these institutions for idle and truant children, shall be defrayed in the same manner as the maintenance of public paupers.

Section fifth, makes it the duty of police officers and constables to make complaint to the proper magistrate of any child found by them in the condition described in the first section of this act.

Section sixth, relates to the fees of justices, for services performed under the act.

Section seventh, simply provides that the act take effect immediately on its passage.

It thus appears that the law is of a general character, authorizing any city or incorporated village to establish an institution for the restraint and care of its truant children. Whether any town other than Rochester has availed itself of the authority thus accorded to all the incorporated communities of the State, I know not; but the eminent success which has attended the "Rochester Truant Home," affords abundant encouragement to repeat the experiment elsewhere.

The exercises of the day were over when Mr. Nichols and myself arrived, but the superintendent, summoned the boys (fifty-seven in number,) to the school room again. Rarely have

I seen a more animating and gratifying spectacle than that presented by this group of "truant" children, in their new found "home," with their neat dresses and their bright, cheerful, intelligent and happy faces. They sang several hymns very sweetly; brief addresses were made to them by Mr. Nichols and myself, and the service was closed with a short prayer.

The superintendent of the "home" is the Rev. T. Fuller, who seemed to me eminently fitted to the position. He is aided by his daughter and another lady.

The "Rochester Truant Home" was established in 1853, and has, therefore, been ten years in operation. There have been three superintendents within that period. The first was Mr. Moses, who remained in charge of the institution only seven months. The second was Mr. Samuel Chipman, whose term of service extended through two years. The third is the present incumbent who has presided over the "Home" more than seven years. After so long an experience of its working, and after having become so intimately acquainted with its adaptedness to benefit the delinquents for whom it was established, he is of the opinion that the law, on which it is founded, is a most wise and beneficent one. And in a letter received from him, since my return to New York, he adds: "I can, with the fullest confidence, express my belief in the utility and importance of an institution like ours, to improve in all their interests the class of children for whom it was intended. We have now at the Home 57 boys, varying in age from 6 to 14. They are in school five hours per day; the rest of the time they are employed on the premises, in the house or in the shop. Our shop work is putting cane into chair frames, a business well adapted to our class of boys. At present prices their earnings amount to about \$100 a month. A duty or task is given to each boy, varying according to his ability or experience; and when that is completed, he is at liberty to occupy the time in any proper manner which pleases him best, until called to his school duties. I may add that our boys generally improve rapidly in their studies, and give unquestionable evidence of good natural ability. They are sent to the Home by the city authorities, on the complaint of parents or guardians, or any other person who furnishes sufficient evidence of the idleness and truancy of the boy, against whom the complaint is made. In addition to the income from the boys' labor, an annual appropriation is made by the common council."

"The gentle, pure, regenerative, redeeming influences, continually operative upon these boys at the "Truant Home," are worthy of all commendation; and the institution which supplies them, of universal imitation. Could I hope that my voice would have any effect, I would say to all towns large enough to support such an institution, "go and do likewise."

All which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, *Sept. 11th, 1863.*

D.

REPORTS ON COUNTY PRISONS.

1. CAYUGA COUNTY PRISON.

The undersigned visited and examined the jail of Cayuga county, in the city of Auburn, on the 19th day of June, 1863.

The jail is a stone building in the rear of the court-house yard, corner of Genessee and Court streets. It is 70 feet by 50 feet, and three stories high. The wall is two and a half feet thick. The sheriff and jailor reside in the building, the dwelling-house and jail being under one roof. The jail, which is in the east wing, is separated from the sheriff's residence only by an entry. The building stands separate and apart from all others. There are two tiers of cells for the male prisoners, containing ten cells each, surrounded on three sides by a corridor about six feet wide. The cells are eight feet long by four and a half wide, and each provided with an iron bedstead, seven feet by two. The cells are secured by grated iron doors. One tier has double locks, designed for the more desperate prisoners. The pit is at the end of one of the corridors. It is closed by a sheet iron door; is kept locked at night, but is open to the free use of the prisoners during the day. The present condition of this part of the prison is clean and sweet; the sheriff who entered upon his duties on the first day of January last, having had twenty-four two horse loads removed from it after his accession to office.

The jail stands upon a sandy soil; is separated from all other buildings; and its situation is healthy. It has an abundant supply of good pure water.

The apartment of the women is immediately over that of the men, but in nowise connected therewith, the access to it being by a different stairway. The interior structure of this apartment is of wood. The arrangement is similar to that of the men, except that the cells here are double the size, and of course fewer in number.

The apartment of the men seems tolerably secure; that of the women, being of wood instead of stone, is less so. It would be

desirable, with reference to security both against fire and escape, to have the wood work replaced by stone or brick.

The prison is kept clean and well whitewashed; and the cells appear to be free from vermin. Such, also, was the testimony of the prisoners.

The number of prisoners in the jail at the time of making the examination, was seven; five males and two females; one of the former being colored.

The whole number of prisoners received from June 20th, 1862, to June 19th, 1863, inclusive, was 331. The average number of prisoners during the first seven months of this period, was about 16; during the remaining five months, 5 or 6. The difference in the average before and since January, was explained on the theory that a very large proportion of those usually committed to jail, have enlisted and gone to the war.

The following are the commitments for the year:

	Males.	Females.
Arson	2	--
Assault and battery	13	--
Burglary	5	--
Counterfeiting	7	--
Disorderly conduct	1	--
Fraud	1	--
Grand larceny	2	--
Habitual drunkenness	--	1
Highway robbery	1	--
Insanity	1	--
Intoxication	47	18
Petit larceny	12	9
Prostitution	--	3
Trespass	1	--
Vagrancy	2	--
Want of bail	10	3
Robbing mail	1	--
Robbing post office	1	--
Desertion from the army	11	--
Wearing army clothing	11	--
	<hr/>	<hr/>
	129	34

The above table shows the crimes of 163 prisoners. The remaining 168 are entered on the prison books without specifica-

tion of the offence charged against them. Most of these were committed for intoxication.

The entries in the prison books are made in such a way that no information, or next to none, is afforded, touching the ages, education, nationality, previous habits, &c., of the prisoners. The books are ruled with headings, which call for a large amount of information; but the blanks have not been filled for the last six or eight years. It is due to the present sheriff and jailor, to state that they have been in office only since the commencement of the current year. They have kept the books, thus far, just as they found them kept for many years past; but have promised to keep them hereafter, according to the printed headings.

The prisoners have no regular work. Occasionally they are employed in doing chores about the house.

The expenses of the past year have been as follows:

Medical attendance	\$25 00
Board and key fees	1,921 17
Washing and mending	154 86
Cleaning jail	69 00
Miscellaneous supplies	99 04
Total	<u>\$2,269 07</u>

I failed to see the physician employed for the jail, and can only state that I learned, in general, that the health of the prisoners has been good, and that no deaths have occurred during the year.

The prisoners have two meals a day, viz., in the morning and between 3 and 4 o'clock, P.M. There is no regular bill of fare. They eat at a small table in the corridor of the prison. The bread furnished them is generally wheaten, sometimes Indian. They have pea coffee in the morning sweetened with molasses. They have meat at both meals, which is fresh once or twice a week. Their principal vegetable is potatoes. Sometimes they have turnips, beets or cabbage. They have mush and milk about once a week, and soup once.

The prisoners have an abundant supply of good water for drinking and washing. There is a sink where they can wash as often as they please, but there is no means of bathing. The underclothing is washed and changed weekly.

The prisoners are provided with clothing when necessary at

the expense of the county. Their bedding consists of cotton sheets and quilts of Kentucky jean. It appears to be sufficient in quantity. The sheets are washed every week.

The cells are warmed by a large coal stove in the men's apartment, and another in the women's. They are provided with bibles but not with slates. Night tubs are used and cleansed daily. There is no ventilation except through the windows.

The only punishment employed is confinement in the dark cells.

There is no library in the prison, and no provision for secular instruction.

Religious instruction is given every Sabbath morning by the students of the Theological Seminary or other benevolent persons. Religious books are also furnished by the students.

No classification whatever is attempted, as required by law.

Friends are allowed to visit the prisoners. All letters written or received are subject to inspection.

The officers say that at least four out of every five received into this prison owe their commitment to intemperance.

One insane person was committed during the year, but has been sent to the asylum for insane convicts.

The sheriff of Cayuga county is James Mead, Esq., and the jailor Mr. Sydney Hewitt. These gentlemen seemed to me well qualified for their places. They afforded every desirable facility for my work. I was permitted to converse freely with the prisoners.

All which is respectfully submitted.

E. C. WINES,
Corresponding Secretary.

46 BIBLE HOUSE, NEW YORK, June 24, 1863.

2. ONTARIO COUNTY PRISON.

There is, properly, no report of this prison. The gentleman appointed to visit it failed to discharge the duty assigned him. As I was passing through central New York, I stopped at Canandaigua, and spent, perhaps, a half hour, at the jail, on the 28th day of August, 1863. I find a brief record of said call in my

journal for that day, and, in default of anything else in reference to the jail of Ontario county, I transcribe it here:

Paid a brief visit to the jail of Ontario county, at Canandaigua. I found the sheriff, Mr. Munson, a very gentlemanly and humane person. He gave me a cordial welcome, and showed me through the prison with much courtesy. The jail is an improvement on many of those I have seen. It is surrounded by a thick and high stone wall, and appears to be quite secure. The prisoners are removed from contact with the outside world. It has separate cells for the male prisoners, and they are comparatively sweet. But there are many drawbacks. There is no classification; no work; no religious services on the Lord's day; no reading, or very little, by the prisoners; and, what is worse than all else, the wards of the male and female prisoners are so situated, with respect to each other, that the former can walk right up to the door of the latter, and, though they cannot see each other, they can converse together just as freely as if they were in the same room. Mr. Munson feels that this is all wrong, and has had it indicted by the grand jury as a nuisance. But as yet nothing has been done towards abating the said nuisance. There are, at present, eleven men and six women in the jail, which is about the average number.

E. C. WINES,

Corresponding Secretary.

January, 1864.

3. WAYNE COUNTY PRISON.

The jail of Wayne county is situated in the village of Lyons. I visited and examined it on Monday, the 31st of August, 1863. The sheriff is Mr. J. P. Bennett, whom I found a pleasant and obliging gentleman. This jail is superior, in several respects, to the generality of our county prisons. The residence of the sheriff is a handsome new brick edifice, thirty-six feet square. The jail is of stone, extends back from the dwelling, is 36 feet by 24, is one story high, and has thick and substantial walls. In this respect, the prison is secure enough; but there are abundant facilities for communicating with the outside world. The cells, 24 in number, are arranged in two tiers, with stone floors and ceiling. They are surrounded by a hall, eight feet wide, with two grated windows on each side.

The commitments during the year have been as follows:

Offences.	Males.	Females.
Assault and battery.....	8	--
Breach of the peace.....	7	2
Disorderly conduct.....	21	10
Grand larceny.....	6	--
Insanity.....	2	--
Malicious mischief.....	1	--
Petit larceny.....	9	7
Vagrancy.....	1	1
Delirium tremens.....	--	1
Bastardy.....	1	--
Burglary.....	4	--
Forgery.....	1	--
Indecent exposure.....	1	--
Intoxication.....	22	7
Murder.....	1	--
Rape.....	1	--
Violation of excise law.....	4	--
Prostitution.....	--	1
Total.....	90	29
Grand total, males and females.....		119

Number of prisoners at time of examination.....	7
Whole number during the year.....	119
Highest number at any one time.....	15
Average weekly number.....	6½

Nativity of the Prisoners: 41 American; 66 Irish; 5 Scotch; 4 English; 3 German.

Race: 114 white; 5 black.

Ages: Under 20, 16; between 20 and 25, 23; between 25 and 30, 19; between 30 and 35, 14; between 35 and 40, 18; between 40 and 50, 27; over 50, 7.

Number times committed: 1st commitment, 9; 2d, 21; 3d, 8; 4th and over, 11; remainder unknown.

Education: Superior, 3; common school, 39; can read and write, 21; can read only, 24; cannot read, 24.

Previous Habits: Habitual drinkers, 47; occasional drinkers, 41; total abstinent, 12; the remaining 19 would not answer, and may safely be set down among the habitual drinkers. How

often those who claimed to be only occasional drinkers indulged cannot be known; most of them probably pretty often. What reliance can be placed upon the word of those who declared themselves total abstainers is doubtful. It is certainly somewhat remarkable that the four who were put in jail for violating the liquor laws all claimed to be of this number.

The prisoners have no occupation in this jail.

With the exception of repairs, which have been but slight, the whole expenses of the prison average a fraction less than \$3 per week for each prisoner.

There has been no death during the year, and no sickness, other than slight colds.

Salt pork, beef, potatoes and bread, with coffee for breakfast, is the usual fare. Fresh beef is given about four times a week in winter, and oftener in summer. Cabbage or beets are served to the prisoners twice a week; beans, and mush and milk occasionally. They have two meals a day, which they take in their cells.

The prisoners are *required* to wash and change linen once a week (a rather moderate requisition, as far as washing is concerned); the *means* of washing daily are provided. Soap and towels are furnished, and water supplied twice a day. Sheets are provided for the female prisoners and debtors only. The blankets are washed once in three weeks. The men shave weekly.

Prisoners furnish their own clothing, except shirts; but the county provides other garments in cases of necessity.

There are 24 cells, as before stated, seven by four feet. They are warmed by furnace, scrubbed once in two weeks and white-washed once in six weeks. There is but one occupant to a cell. The prison is provided with few Bibles, one for each range of six cells.

No punishment is used, except locking in cells. But two instances of this have occurred during the year.

There is no prison library.

There is no restriction upon visits, except the presence of the turnkey, and none upon correspondence, except as respects hard cases, where letters both ways (out and in) are examined.

There is no chaplain, and no religious services. No religious visits—not one—have been made during sheriff Bennett's incumbency, now nearly two years. A religious paper is given to the prisoners weekly.

Two insane persons have been in the prison within the year; one temporarily, and the other is now awaiting trial. Both are mild cases. The sheriff judges that seven-eighths of all the commitments during the last year have been, either directly or indirectly, caused by the use of intoxicating liquors.

All which is respectfully submitted,

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, *Sept.* 1863.

SUFFOLK COUNTY JAIL.

On the 6th of November, 1863, I visited and examined the jail of Suffolk County, which is situated in the town of Riverhead.

The commitments for the year immediately preceding the date of this inspection were as follows:

Males.

Assault and battery	3
Assault and battery with intent to kill	4
Breach of the piece	5
Intoxication	3
Malicious mischief	1
Petit larceny	5
Vagrancy	1
Deserters	5
Passing counterfeit money	2
Runaway apprentice	1
Refusing to pay judgment	1
Total males	31

Females.

Arson	1
Assault with intent to kill	1
Grand larceny	1
Total females	3

Making an aggregate of only 34 commitments in the county for the entire year, a fact which proclaims very clearly the virtuous and law-abiding character of the population.

The jail is situated in the rear of the court house, with which it is connected by a covered passage. It stands on level ground,

some distance from the thickly populated part of the village, though there are a few residences in the neighborhood. The site is healthy.

The building is of stone, in the form of an octagon, and 120 feet in its entire circumference, from which its diminutive proportions are at once apparent. The walls are two feet in thickness. It is two stories high, with a passage scarcely three feet wide between the outer wall and the cells, which gives the prison a pinched appearance, and affords space but for a moderate quantum of air for the use of the inmates. There are four cells in each story, two of which in the upper story, as they extend to the outer wall, are nearly double the size of the other six. The smaller cells will accommodate two prisoners comfortably, (three are sometimes put in,) and the larger ones four. Each of the former has one double iron bedstead, and each of the latter two. The bedsteads are of an inferior quality, and I should judge could be very easily picked to pieces by the prisoners.

The security of the prison is by no means perfect. The facilities for communicating with outsiders are far too great for that. There is, indeed, a board fence, seven or eight feet high, armed with spikes on the top, surrounding the prison premises; but there is no difficulty in scaling it, more particularly as a portion of the said fence has been made to do duty as an integral part of a shed belonging to a neighboring barn. An outsider, once inside of this fence, could readily pass up, by means of a cord let down from the windows, food, liquor, tools, &c., &c. Two prisoners within the past year, escaped by making false keys out of a tin pan. Since then, more secure locks have been procured, and the feat would, to say the least, be somewhat more difficult of execution. These men on making their escape, left the following epistle, addressed to the jailor, which, as a prison curiosity, I give *verbatim et literatim et punctuatim*. "Mr. Griffin we thank you for your kindness to us since we have been here and am sorry to leave you without bidding you good bye but the circumstances will not admit of our doing so those keys we make A present to that Babylon shark Hubbs as they will be of no more service to us he must excuse the finish of them but they answer every purpose our tools and materials was very limited it consisted of an old tin pan A jack knife and the stove wrench for a hammer we now take our departure we bid you a kind farewell yours with respect?"

These men were retaken in New York, and are now safely housed at Sing Sing.

The roof of the jail is of iron, which condenses the moisture in the air, and in cold weather, the lower side is covered with an incrustation of ice, which, when warmed by the sun, melts and drips down, making the prison quite damp.

The cells in the lower story are very imperfectly lighted in the day time, and no provision whatever is made for lighting them at night. If the prisoner wants a light in his cell, he must pay for it himself; otherwise he has to remain in total darkness during the whole of the longest winter nights. This seems to me a cruel deprivation. The only provision for heating this entire edifice is one coal stove in the lower story, with (say) four feet of pipe in the upper story. In the coldest days of winter, the temperature throughout a considerable part of this prison must be below the freezing point, which is frightful to contemplate. The smaller cells have no ventilation that is effective; the two larger ones have, severally, two and three windows, through which pure air can have ingress. The jail is whitewashed twice a year, the work being done by the prisoners. Each cell is provided with a pipe and seat for the use of the prisoners in meeting the calls of nature. There are, however, no means of carrying off the faeces, except the rain that may chance to fall upon the roof. In a dry time, the odor thence arising must be most offensive. This might be easily remedied by a tank placed in the upper part of the building, which could be supplied with water from the roof of the court house, or, in default of that resource, by a forcing pump worked by the prisoners themselves.

A highly improper arrangement, because in its results it cannot be otherwise than corrupting, is that the cells for the women are in the same wards with those for the men; and although they may be locked up in their own apartment, there is nothing to prevent the most unrestrained intercourse between the sexes by conversation.

Upon the whole, the prison building of Suffolk county, viewed in its relation to the true ends of a prison, struck me as being rather a failure than otherwise. It presents, indeed, outside, a neat and tasteful appearance; but within, it is cramped, ill-arranged, ill ventilated, and little adapted to the real and appropriate ends of such an institution; in a word, a narrow, short-sighted economy seems to have reigned in its construction.

There was but one prisoner confined in the jail at the time of my visit, but two others were brought in just as I had concluded the inspection, the first new comers for nearly two months. The whole number during the year, that is, from Sept. 6, 1862, to Sept. 6, 1863, was, as before stated, 34. The average daily number was stated by the jailor at about 8, but I think there must have been an error in his statement, as it could hardly have reached that figure. The small number of commitments in this county has been already noticed as indicative of an unusually high state of morals in the community. It is referred to again, in this connection, for the purpose of pointing to a fact, which is, beyond all doubt, the cause of so extraordinary a condition of things, viz.: the existence, in this county, for a period of at least fifteen years, of the most active, wide-awake temperance organization in the whole country; an organization which has, during all that time, kept up monthly meetings, of great spirit, which have been held successively in all the different localities in the county.

As in the other county prisons, the prisoners have nothing to do here, except cleansing the jail and occasionally sawing a little wood. When will our people awake to the impolicy of keeping prisoners in entire idleness?

The expenses of this prison are exceedingly moderate. The jailor receives \$1.50 a week for the board of each inmate, and a fee of thirty-seven cents on receiving each prisoner, and another of the same amount on his discharge. He is allowed fifty cents a dozen for washing the prisoners' clothes. The physician renders his services for \$15 per annum, and supplies his own medicines at that. The entire cost of the jail for the last year was but \$1,000.

Notwithstanding the dampness of the prison, heretofore noticed, it appears to be healthy. There has not been a death in the jail for four years. The average number of calls per year for the physician's services during the last three years, has not much, if at all, exceeded a dozen. The most common complaints are rheumatism and dyspepsia. There has not been a case of delirium tremens for many years, nor a case of fever during the sixteen years' incumbency of the present physician.

The inmates of the prison are fed three times a day, except Sundays, when they have but two meals. Their living is, as it should be, coarse; but it is abundant and sufficiently good. There

is no stint as to quantity. Coffee is not provided as a part of the prison fare, but prisoners who choose to pay for it can have it at three cents a cup.

Clothing is furnished to the prisoners by the county, when necessary; and particularly if needed on their discharge, to make them decent and comfortable.

There is a sufficient supply of water, but it has to be carried into the prison by pails. The prisoners are, nevertheless, allowed all they want. They are not required to wash themselves daily, but are left to perform this operation when they please, except when they are observed to be particularly dirty. It would be better to have a standing rule, requiring them to be always clean. There is no provision for bathing the whole person, except that they are allowed a tub in the prison, in which they can wash themselves all over when they please. A few do it occasionally, but for the most part such ablutions are neglected. Soap is provided for the prisoners, but not towels or combs. They shave themselves once a week with their own razors. Some one or more will have razors which they lend to the rest.

The beds are not provided with sheets. Blankets are the only bed coverings used; and of these they are allowed enough to keep them warm. There is no fixed time for washing the blankets, but it is done when they need it; that is, as I suppose, when they get to be pretty dirty. I would strongly advise that sheets should be used; first for cleanliness, and secondly, for economy, by saving the necessity of frequent washings of the blankets, whereby they must be rapidly deteriorated and destroyed.

No punishments are used here, except locking in their cells or diminishing their rations, and resort to these is not often required. Just and kind treatment generally secures obedience.

No books, either religious or secular, nor even tracts, are provided for the prisoners by the county, or by private benevolence. The keeper occasionally lends them a newspaper, and this is the extent of the intellectual pabulum furnished to these wretched men and women.

No classification is possible, and of course none is attempted.

No religious services are ever held in the prison, and nobody ever comes to converse with the prisoners on the state of their souls. There seems to be a famine of the word of God.

There have been two insane prisoners during Mr. Griffin's [Assem. No. 65.]

incubency (four years). One was discharged, and the other sent to the asylum at Utica.

It is the opinion of Mr. G. that at least two-thirds of those committed to this jail are the direct result of drink, and that a large proportion of the remainder are brought here indirectly by the same means.

No money is given to the prisoners on their discharge, but Mr. Griffin sometimes loans them small sums, which, in every case but one, have been returned according to promise.

The average length of sentences here was stated by the jailor to be about three months, which, I imagine, is beyond the true limit.

The prisoners are allowed to purchase extras with their own money—anything but strong drink.

They can write and receive letters *ad libitum*, subject, however, to inspection. Some of the prisoners write often; others, seldom or never. Visits from friends are allowed all all times, but the interviews must be in the presence of an officer.

Mr. Osborn, the sheriff, and Mr. Griffin, the jailor, afforded me every needed facility in the examination of the prison, for which my thanks are given.

All of which is respectfully submitted,

E. C. WINES, *Cor. Sec'y.*

NEW YORK, November 7, 1863.

5. QUEENS COUNTY PRISON.

I "visited, inspected, and examined" the jail of Queens county, Long Island, on the 7th of November, 1863. It is situated in the midst of a farming region, called Hempstead Plains, in the township of North Hempstead, and is remote from any settlement. The jail is under the same roof with the court house, one half of the building being devoted to the purposes of the prison. This structure is of wood, and was built in the year 1778. It is, therefore, one of the oldest, perhaps the very oldest, of the buildings in the State appropriated to a like use. The frame is of the massive and substantial kind, common at the time of its erection. The building is 60 feet in front by 57 feet deep, the rear portion of the depth being of a later erection. The prison has three wards, one for female prisoners, one for white males, and one for

colored males. There are three cells in the female ward, one of which is 15 feet by 9 feet, with two beds, and the other two are each 7½ feet by 9, having one bed each. The ward for white males has two stories, with four cells in each story, all of the same size—ten feet by six—and each furnished with one double bed. The colored ward has two cells, one 12 feet square, and the other 10 feet square. The prison seems to be pretty secure; at least there are but few escapes, and have been none within the past year. The beds, which are of oat straw, are all for two prisoners. The bedsteads are of pine, and afford an excellent harbor for vermin, which, in spite of all efforts to the contrary, do much abound. There is no ventilation, except through the grated windows. The air must be very foul in the morning, and would be more so, if the cells were not scrubbed and white-washed every week. Each of the three wards is heated to a comfortable warmth by a coal stove. Night tubs are used.

As neither the sheriff nor his deputy was at the prison at the time of my examination, and the turnkey, Mr. George Curtis, had not the books in his possession, I am unable to report the commitments for the year, or to give other statistics which might be of value.

The number of prisoners at this time is 28; four white women, and one colored; and thirteen white, and ten colored males. The highest number at any one time during the past year, is 44; the average number about 25.

I did not see the physician, but learned in general from the jailor that the state of the prison in respect to health has been good, and that the doctor is often not called in for three months at a time. No death has occurred during the year.

The prisoners have two meals a day. For breakfast they have bread and gravy, and coffee of the same quality as that of the sheriff's family. For dinner, they have fresh beef once a week with soup; mackerel once a week; and salt pork the other five days, with different kinds of vegetables—potatoes, turnips, cabbages, &c., and bread without stint. The dinner was served during my presence, and I have no hesitation in pronouncing the fare, from this specimen, good, wholesome, and abundant. The meals are taken in the cells. The sheriff receives \$1.81 a week for boarding the prisoners.

The prisoners scrub and whitewash the prison, and wash their own clothes, which is the sum total of all they have to do.

The water furnished to the prisoners is all carried into the prison by pails, but they have as much as they want. They are required to wash hands and face daily, and, if necessary, the keeper stands over them, and makes them do it. They are also required to wash their whole person every Friday, and to this end each prisoner is furnished with a tub, which holds several gallons. They are supplied with soap at the expense of the county, but not with towels or combs. There are no sheets for the beds, only blankets. One blanket, usually, is washed for each bed weekly. I would recommend the use of sheets, both for cleanliness and economy; and, on this subject, refer to what I said in my report on Suffolk county jail. The prisoners are required to shave themselves every Sunday, and for this purpose are furnished with razors belonging to the prison. They cut each other's hair as often as they choose, keeping it sufficiently short. Their under clothing is washed every week. The county supplies clothes to prisoners when it is needed.

No prisoner has been punished during the past year. The only punishments employed, are confinement in their cells and a diet of bread and water.

There is not a book of any kind in the prison for the use of the inmates—not a Bible, hymn book, tract, slate, or any thing of the kind, although the statute requires that each cell should be provided with a Bible and slate. The prisoners have absolutely no resource but cards, when they can smuggle them in, and the rehearsal of their deeds of villany. This is truly a sad state of things, and a remedy ought to be applied at once by the county supervisors; or, if not by them, then by private benevolence.

Two thirds, at the least, of all the inmates of this jail are brought here directly through the influence of strong drink.

There is in this prison (what is exceedingly rare in the county prisons of this State, though expressly required by law) a slight attempt at classification. The white men and colored men are confined in separate wards; and the colored men are again subdivided into two groups—those put in for slight offences, and those imprisoned for crimes of a graver character.

There is no restriction upon the correspondence of prisoners nor upon the visits paid them by friends, except inspection of the letters in the one case, and the presence of an officer in the other. Some write often; some not at all.

There are no religious services for the prisoners whatever, and

it is rare that any one calls to speak with them on their religious interests.

One insane woman has been in the prison for a short time, sent here merely for safe keeping. She was soon removed to an insane asylum.

No money is given to prisoners on their discharge. The average term of sentence here is about 40 days; the extreme limits being 10 days in one direction and 6 months in the other.

Prisoners are allowed to obtain extras in food and drink (except strong drink) with their own money.

All which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

NEW YORK, Nov. 9, 1863.

6. ONONDAGA COUNTY PRISON.

I visited and inspected this prison, Nov. 14, 1863. As the jail is in the same building and under the same officers as the penitentiary, and very much that has been said of the prisoners in the penitentiary, is applicable to those in the jail, no extended report of this examination is necessary.

The number of commitments during the last year is 181. No information is afforded by the records, except the crimes charged, and the sex of the persons arrested. These are as follows:

	Males.	Females.
Arson	1	--
Assault and battery	10	--
do with intent to kill	13	--
do do do to ravish	1	--
Attempt to break jail	3	--
Bastardy	1	--
Breach of peace	6	--
Burglary	19	1
Counterfeiting	5	--
Embezzlement	1	--
False pretence	1	--
Forgery	20	--
Grand larceny	20	3
Intoxication	3	--
Malicious trespass	8	--
Perjury	2	--

	Males.	Females.
Petit larceny	8	--
Rape	3	--
Robbery	9	--
Violating excise laws	1	--
Witnesses	3	3
Damages and costs	8	--
Deserters	25	--
Riot	1	1
Taking another's letter out of post office	1	--

Recapitulation.

Crimes against persons	36
do do property	93
do do the Government	25
Doubtful, or falling under neither designation	27

The number of prisoners in the jail at the time of my visit was 7; highest number at any one time, 27; average daily number, 10 to 12; whole number, 181. The prisoners have no employment whatever. They are kept in separate cells, and not allowed to communicate at all with each other. They are let out of their cells an hour or so each day for exercise.

No account of the jail expenses is kept separate from that of the penitentiary.

There has been no death in the jail during the past year. The health of the prisoners is good, with the exception of venereal. Almost all are suffering from this, when received.

The jail prisoners are fed three times a day, and have the same rations as the convicts in the penitentiary. They can have the same fare as the family by paying \$1.75 per week of their own money.

They are furnished with abundance of water and soap, and are furnished with coarse towels, and coarse and fine combs. They are required to wash hands and face each morning, and the whole person once a week. They have clean sheets and shirts every Sunday. The straw in their beds is changed four times a year, and all the bedding washed as often. They are shaved weekly, and have their hair cut whenever they desire it, or when it becomes too long.

The prisoners wear their own clothes, but have shirts loaned to them, if their own wardrobe is deficient in that article. The

county provides them with other clothing also, when it becomes absolutely necessary.

They are punished for a violation of prison rules the same as the penitentiary convicts, with shower-bath, yoke and buck. They have likewise the same use of the prison library, and read a good deal. Also the same facilities of moral and religious improvement—church, sabbath school, bible in their cells, tracts, &c.

Liquor and bad women are the most active immediate causes of crime. Nine-tenths are represented as intemperate.

They can write letters to friends, *ad libitum*, subject to inspection, and receive visits from them without stint, in the presence of an officer.

There have been no escapes during the year. One attempt was made, a very foolhardy one, but without success. The prisoner was in the office, the assistant superintendent being present, and jumped out of the window, thinking to effect his escape by outrunning all pursuers. As a matter of course, he was speedily captured.

No money is given to prisoners on their discharge.

There has been no insane inmate of the jail during the year.

This jail is merely a house of detention, and yet the average length of time the prisoners remain in it is said to be from 40 to 50 days. It would seem that imprisonment while merely awaiting trial ought not to be so long.

All which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

WATERLOO, Nov. 14, 1863.

4. SENECA COUNTY PRISON AT WATERLOO.

Seneca county, consisting of a long, narrow strip of territory, lying between Cayuga and Seneca lakes, is a half shire. It has two jury districts, two court-houses, and two jails. One of the said jails is at Waterloo in the northern part, and the other at Ovid in the southern part of the county.

I visited, inspected and examined the jail at Waterloo, on Monday, Nov. 16th, 1863, and herewith report the results of said investigation.

The jail is under the same roof with the court-house. There is a male ward, with five cells, each twelve by six feet, and pro-

vided with two single beds. On the opposite side of the hall, there is a room for female prisoners. The prison accommodations here are very limited and very poor, in fact among the worst I have seen anywhere in the State. A new building is sadly needed, and it is to be hoped that the proper county authorities will soon see it in that light. The prison has the appearance of being quite insecure, though the sheriff, Abraham Slauson, Esq., informed me that no escapes had been effected during the two years of his incumbency. This result must be due either to the vigilance of the sheriff, or the good nature of the prisoners, or both together; certainly not to the strength of the prison walls.

The commitment book shows only the crimes charged and the sex. There have been committed to this prison during the year preceding the present date as follows: For

	Males.	Females.
Assault and battery	34	7
Assault with intent to kill.....	7	0
Breach of the peace.....	1	0
Burglary	3	0
Disorderly conduct.....	4	6
Grand larceny.....	7	0
Petit larceny.....	27	9
False pretences.....	2	6
Furnishing liquor to prisoners	1	0
Intoxication.....	172	20
Malicious mischief.....	4	0
Murder.....	4	2
On body execution.....	10	0
Passing counterfeit money.....	9	0
Perjury.....	1	0
Rape.....	1	0
Trespass on public property.....	5	0
Vagrancy.....	21	2
Total commitments.....	313	54

The number of prisoners at the time of my visit was six (males four, females two). Whole number during the year immediately preceding, 367. Highest number at any one time, 14. Average daily number (say), six to eight.

As in the other county prisons, the prisoners have no occupation whatever.

The county allows to the sheriff \$2.75 per week for the board of each prisoner. The physician is paid for each visit, and yet his annual fees do not amount to more than \$15 to \$20. This shows that the health of the prison is remarkably good. No death has occurred since Mr. Slauson entered upon his duties as sheriff two years ago.

The fare of the prisoners is abundant and good; in fact, too much so for men who do not work. They have meat, bread, coffee, and potatoes or other vegetables for breakfast and dinner, and mush and milk for supper.

Water has to be carried in for the prisoners, but they have an ample supply. They are required to wash daily, and on Sunday to wash the whole person in tubs filled with tepid water. Soap, towels and combs are provided by the county. The straw in the prisoners' beds is changed as often as once a month. The sheets are washed weekly, the woolen blankets in the spring and fall, and the ticks, of which there is a double set, as often as the straw is changed.

The prisoners wear their own clothing, with the exception of shirts. When a prisoner is received, he is first thoroughly washed, sometimes being taken to the barn for this purpose, that the operation may be more effectively performed; his own shirt taken away from him, washed, and kept safely against his release; and a shirt belonging to the prison furnished him. When other clothing is needed, it is furnished at the expense of the county.

The number and dimensions of the cells have already been stated. There is but one bible in the prison, and no slates; whereas the law requires that each cell shall be provided with both. To my question, whether the cells were infested with vermin, the sheriff replied with emphasis, "There are lots of bed-bugs at times." Indeed, it could not well be otherwise, as the bedding is old, and the partitions of the cells of wood, with any amount of cracks and hiding places for the pestilent creatures. The sheriff remarked that he found a solution of glue, mixed with whitewash, and well rubbed into the cracks, the most effective defence against them. Though the floor of the narrow hall in front of the cells had been scrubbed, as was said, on the Saturday preceding, it had a dirty, disgusting look. There is no ventilation, and but little light in the cells. Night-tubs are used, but they are not emptied every day, which, I think, is a bad arrangement.

No punishments are ever employed, except locking the prisoner up in his cell. The sheriff said that he found kindness the most effective instrument of discipline. The prisoners spoke to me (in his absence) in the highest terms of his treatment of them.

No books are furnished for the use of the inmates at the public expense, but Mr. Slauson furnishes them with papers and lends them his own books when they desire to read. No classification is or can be attempted.

The prisoners write letters or receive the visits of friends, without other restriction than the reading of their correspondence by the prison authorities, and the presence of an officer during their interviews with friends.

There are no religious services on the Sabbath, and no ministers or pious laymen visit the prisoners, either on Sabbath or week days, to speak to them about their souls, and to distribute tracts and good books for the promotion of their spiritual interests. The sheriff said that he would like to have efforts of this kind made among the inmates of the prison, but the simple and naked fact is, they are not made.

As to the causes of crime, it is here the old story over again—drink, idleness, ignorance, bad company, lewd women, &c., &c. A very large portion of those arrested, it is said, can neither read nor write. More than half the commitments to this jail are made for intoxication; and three-fourths of the remaining offences charged are such as were undoubtedly caused directly by liquor,—assault, murder, breach of peace, disorderly conduct, malicious mischief, vagrancy, and the like. It would be safe to set down seven-eighths of all the committals to this jail as the direct result of the use of alcoholic liquors.

No money is given to prisoners on their discharge. All who are sentenced for ninety days and over are sent to the Monroe county workhouse, at Rochester. A third arrest for drunkenness here invariably sends the offender to the said workhouse.

All which is respectfully submitted.

E. C. WINES,
Corresponding Secretary.

WATERLOO, November 16, 1863.

8. SENECA COUNTY PRISON AT OVID.

I examined the jail in the south jury district of Seneca county, situated in the village of Ovid, on the 17th day of November, 1863.

The commitments for the past year have been as follows:

	Males.	Females.
Assault and battery.....	1	0
Breach of peace.....	1	0
Keeping disorderly house.....	0	2
Grand larceny.....	1	0
Idiot.....	1	0
Intoxication (on regular warrant).....	5	0
do (for one or two days till sober).....	18	0
Rape.....	1	0
Seduction.....	1	0
Bastardy.....	1	0
Burglary.....	3	0
False pretence.....	2	0
Insanity.....	1	0
Petit larceny.....	1	0
Malicious mischief.....	3	0
Perjury.....	1	0
Robbery.....	1	0
Violation of excise laws.....	1	0
	<hr/>	<hr/>
	43	2

Number of prisoners at time for examination*.....	2
Whole number during the year immediately preceding.....	45
Highest number at any one time.....	7
Average daily (about).....	1

The above exhibit indicates a high degree of virtue and obedience to law in the community from which this prison draws its inmates. The territory embraced in this jury district is about equal in extent to that included in the northern district, each comprehending five townships. Yet the northern district shows 367 committals against 45 in the southern district. This is an enormous difference. By what is the disparity caused? the answer is: 1. The larger population of the northern district, for,

* Both females, and the only ones committed during the year.

although the territorial limits of the two sections are about equal, the north district contains two towns, Seneca Falls and Waterloo, which, together have a population of 10,000 to 12,000 souls. 2. These are, largely, manufacturing towns, and contain, in proportion to their size, an immense foreign population,—Irish and German. 3. Vast thoroughfares centre in the northern part of the county, which attract a large and for the most part bad floating population—the outlets of two large lakes, the Cayuga and the Seneca, the Seneca canal, which connects these lakes with the Erie canal, and the New York Central railroad. These causes are abundantly sufficient to account for the difference in the proportion of crime in the two sections of the county.

The jail at Ovid is like that at Waterloo, in the court house. It has a male and a female department. The former is in the basement, and has three cells seven by five feet. At the time of my visit it was in a horribly filthy condition, which the deputy sheriff explained and apologized for by saying that an idiot, placed there for safe keeping for a season, had been the last occupant, and there is not at present, nor has there been for the last two or three months, a single male prisoner in the jail. This explanation is hardly satisfactory, since, as soon as the wretched idiot had been removed, the apartment should have had a thorough cleaning. The male part of the prison is so damp, being to such an extent underground, that it is hardly fit for human habitation. Whenever it is occupied, in summer as well as winter, it is necessary to keep up a fire in it. For this reason, it is a happy circumstance that it is rarely necessary to use it, since, as there are seldom any women in the prison, the men are, for the most part, placed in the female department. This is one large room, eighteen feet square.

The prisoners here, as elsewhere in our jails, are entirely unoccupied.

The weekly allowance for board, per capita, is \$2.75.

With an average of one prisoner in the jail, the amount of sickness cannot be great, and as the subterranean portion of the prison rarely has any denizens, I suppose the prison may be fairly set down as healthy. The two women now in the jail, whose residence within its walls has reached but the fifteenth day, have given the doctor more employment than he had for a whole year before. These women were keepers of houses of ill-fame.

The prisoners have three meals a day, and generally the same food as the sheriff's family. The women eat at the same table as the family after they have finished their repast, and sometimes the men, when it is felt that they will not attempt to escape; but generally male prisoners have their meals sent to their ward.

Persons arrested usually come to the jail in a very filthy condition. It is exacted that they wash their hands and face daily, but there is no means of washing the whole person, though this, indeed, might be done in tubs, as in fact it is in several jails—such thorough cleansing of the whole person is not required here. Soap, towels, combs and razors are provided by the county for the use of the prison inmates. The straw in the beds is changed and the ticking washed as often as four times a year. The sheets are washed weekly and the blankets as often as necessary, sometimes with every change of prisoner. They have a change of undergarments once a week, and the county supplies clothing when it is necessary. The cells are white-washed commonly once a month. Night tubs are used and emptied each morning.

No punishments, properly so called, have been found necessary. Frequently, however, persons brought into the prison in a state of intoxication have to be locked up in their cells till they become sober, and in one instance the drunken man had to be chained till the madness subsided.

Each ward of the prison is provided with a bible, but no other books of whatever kind. The sheriff often loans his own books when there are prisoners who desire to read.

Nine-tenths at least of the inmates of this prison are said to owe their imprisonment directly to drink.

Letters may be written and visits received to any desired extent under the usual restrictions.

Nobody visits the prisoners to talk with them about their souls. There has been one case of insanity and one of idjocy, but in both instances the wretched beings were lodged in jail for safe keeping for a brief space only.

Most of the prisoners convicted here are sentenced either to ten days or to ninety days and over. In the latter case they are taken immediately to the Rochester Penitentiary.

All which is respectfully submitted.

E. C. WINES, Cor. Sec.

OVID, November 17, 1863.

9. YATES COUNTY PRISON.

This jail is situated in the beautiful and thriving village of Penn Yan. I visited and inspected it on Tuesday the 17th day of November, 1862. The commitments during the year were 128, for the following offences, as charged in the warrants of arrest:

	Males.	Females.
Arson	0	1
Assault and battery	10	0
Assault with intent to kill.....	1	0
Breach of the peace	4	6
Deserters	7	0
Disorderly conduct.....	0	2
False pretences.....	1	0
Keeping house of ill-fame.....	0	3
Insanity	1	0
Intoxication.....	63	2
Malicious mischief.....	1	0
Murder	1	0
Perjury.....	3	0
Petit larceny.....	14	1
Passing counterfeit money.....	3	0
Seduction.....	1	0
Vagrancy.....	3	0
	<hr/>	<hr/>
	113	15
	<hr/>	<hr/>

The court house and jail occupy a fine lot containing two acres of ground, running from Main to Liberty street, with Court street on the north side. The same building contains the residence of the sheriff, at present Mr. John Underwood, and the jail. It is of stone, stuccoed with water lime cement, is forty feet front by sixty feet deep, and with its ample yard and garden presents quite a handsome and attractive appearance. It was erected in 1857, and is therefore nearly new. The cost was over \$11,000, which should have put up a first class building of the dimensions named. Such, however, is not the character of this structure. On the contrary it is very imperfectly constructed every way. The old jail had been burned down, and the burnt stones were used as far as they would go in the erection of the new. The consequence is, the walls can be dug

through in half an hour without the least difficulty. The iron bars in the windows are much too small, and can be readily sawed off or twisted out of place. One man escaped by the latter process. It should be stated that on one side a strong additional grating has been put to the windows, which makes them perfectly secure. The front half of the building is used by the sheriff, and makes a commodious and comfortable residence. The rear portion is appropriated to prison uses. There are three tiers of cells, surrounded on three sides by a hall sufficiently spacious. On the other side the wall of the jail forms also the wall of the cells. These cells cannot be used on account of the extreme insecurity of the wall, owing to the ease with which it may be dug through. The upper tier is appropriated to female prisoners, the other two to males. There are twelve single cells, ten feet by four, in the male ward, and two double cells ten feet square. In the female ward there are two double cells ten feet square, and a good sized room. A most objectionable arrangement is that the men can go to the door of the women's apartment, which said door has quite a large hole in it, and see and converse with them *ad libitum*.

There is a little attempt at artificial ventilation, but it is of no account. The windows of the hall, however, being hung on pulleys, are let down from the top several inches every night, even in the dead of winter. The prisoners are furnished at night with the light of candles. The jail is heated by two wood stoves. The cells are whitewashed three or four times a year, and mopped once a week or oftener. They are at times somewhat infested with bed-bugs, but never with lice. Night tubs are used, which are emptied daily.

There is not a bible nor a slate in the prison, though these are required by law to be placed in every cell. No books of any kind are provided for the use of the prisoners, but newspapers and books are sometimes loaned to those who desire them. It is stated that nearly or quite a third of those committed here cannot read.

The number of prisoners at the time of making the examination was seven, all males; greatest number at any one time, nine; whole number during the preceding year, as already stated, one hundred and twenty-eight; daily average, about four.

The prisoners have no employment of any kind. An allowance is made to the sheriff of \$2.75 for the board of each per week.

The health of the prison is reported as remarkably good. No death has occurred during the year, and the physician has been called in but twice since spring. He has not made a visit within the last four months.

The prisoners are fed three times daily, except Sunday. Except coffee, which is not furnished to them, they live very much the same as the Sheriff's family, having meat, bread and potatoes or other vegetables, morning, noon and night, and that without stint. Sometimes, when milk is plenty, mush and milk is substituted for the third meal. The only fault to be found with the dietary of this prison is, that it is too generous and hearty for prisoners who do not work. They take their meals at a table in the hall.

The prisoners seem to be well supplied with water, both for washing and drinking. There is no provision for bathing or washing the entire person, and the matter of daily ablution is left optional with them. They are provided with soap, towels and coarse combs, also with a razor, with which they shave themselves once a week, or oftener if they like. Their beds are provided with sheets, which are washed every week, and the blankets twice a year. There is no fixed time for changing the straw in the beds, but it is done from two to four times annually. Prisoners are furnished with a change of shirts by the county, of which they have clean ones weekly. They are also provided with plain cheap clothing when necessary.

No punishments are ever inflicted on prisoners, except locking in their cells. The means are provided for chaining them to one spot, but this has not been found necessary, at least by Mr. Underwood.

The sheriff states it as his opinion, that the crimes of nine-tenths of all the persons who come to this jail as prisoners, are due to the use of intoxicating beverages.

There is no classification of prisoners here, as required by law, as, in point of fact, there is not in any of our county prisons. Indeed, such a thing is not possible in our jails, as at present constructed.

Correspondence and the visits of friends are without restriction, other than that the letters are subject to inspection, and the visits must be in the presence of an officer.

One insane person was confined in this jail for a few days as a place of safety, till he could be sent to the asylum.

No religious services are ever held in the jail, nor does any person, either minister or layman, ever come to see and converse with the prisoners in reference to their spiritual interests.

It is rare for the courts in this county to give convicted prisoners any other term of sentence than ten days, below a term of ninety days; and all prisoners sentenced for ninety days and over are, by law, conveyed to the Monroe county penitentiary, at Rochester.

All of which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

PENN YAN, Nov. 17, 1863.

10. CHEMUNG COUNTY PRISON.

I visited and inspected this prison which is at Elmira, on Wednesday, the 18th of November, 1863. The sheriff is Mr. William Halliday, and the jailor, Mr. Wm. McCann, both, in my judgment, model officers, and I will venture to add, though it may be traveling a little out of the record, that the sheriff has a model wife, truly an help-meet for him in one department of his official duties. Among all the county prisons I have visited, this stands pre-eminent for the moral atmosphere pervading it; for the vigilance, vigor, humanity and efficiency of its government and discipline; for the kindly and almost domestic feeling existing between the officers and prisoners; and, as the result of all, for the reformatory influences, which it exerts upon its inmates. All this, I think, will be made apparent from the facts to be submitted in this report.

The sheriff's residence, a brick edifice, 60 feet front by 30 feet deep, stands directly in the rear of the court house. At the northeast angle of this building is the jail, a solid well-built stone structure, 40 by 30 feet, with well cemented walls three feet in thickness, and lined with boiler iron. The windows are secured by strong double iron gratings. I should unhesitatingly pronounce the jail as secure as such buildings could well be made, and I am confirmed in this impression by the fact that no escape has been effected, and but one attempt to escape has been made during the incumbency of the present sheriff, a period of nearly two years. On entering the jail you first come to a spacious hall, some 12 feet wide, running across the building from wall to wall.

This is furnished with a large kitchen table, a hydrant a sink, and a good number of chairs. There are 8 cells, each 9 feet square, arranged in two stories. There is an open space on each side of the block of cells (say) six feet wide, and in the rear four feet wide. The prison was built about 12 years ago. The female prison is one large room (18 feet square,) within the brick building appropriated to the residence of the sheriff.

The whole number of commitments during the last 12 months have been 348, as follows:

Offences.	Males.	Females.
Abusing wife	1	0
Arson	1	0
Assault and battery	44	1
Assault with intent to kill	2	0
Assault with attempt at rape	1	0
Assaulting an officer	1	0
Breach of the peace	4	0
Bigamy	1	0
Burglary	2	0
Body execution	8	0
Delirium tremens	8	0
Disorderly conduct	0	2
Disturbing religious meeting	2	0
Fast driving	2	0
False pretences	1	0
Fighting	2	0
Forgery	4	0
Grand larceny	16	1
Highway robbery	6	2
Insanity	3	0
Incest	1	0
Intoxication	75	12
Keeping house of ill fame	0	1
Malicious mischief	1	0
Misdemeanor	0	1
Murder	1	2
Perjury	1	0
Petit larceny	55	12
Prostitution	0	39
Opening letter	0	1
Rape	1	0

	Males.	Females.
Riot	9	0
Threatening to kill	2	0
Vagrancy	9	10
Totals	264	84
	84	
Grand total, males and females	348	

The very large proportion of commitments for prostitution are attributed to the constant presence of soldiers in the place. The sheriff assured me that there never had been anything like it before in this county. He says that the demoralizing influence of this class of population is frightful. It will perhaps cause surprise that no deserters are reported. There were many committed heretofore, but the military authorities have a prison now at the encampment.

Number of prisoners at time of examination	12
Whole number during the year	348
Greatest number at any one time	50
Average daily number	14½

The prisoners have no employment in the jail, but those sentenced for 90 days and over, are immediately removed to the Rochester workhouse.

The expenses of this jail for the last year have been:	
Subsistence of prisoners	\$2,049 15
Turnkey's fees	297 75
Washing prisoners' clothes	168 00
Physician's fees (including medicines)	30 00
	<u>\$2,544 80</u>

The above items include all the expenses of the prison, except those incurred for repairs and materials for bedding and clothing for the prisoners. The bills for these items are presented directly to the supervisors, and do not enter into the sheriff's accounts. It will be seen that the expense for each prisoner is about \$180 per annum. The allowance for board is \$2.75 per week, and for washing, \$0.25 for each inmate.

There has been no death in the prison for the last two years. The health of the prison is good, with the exception of venereal

complaints, with which nearly all are affected on their entrance. The medical attendance is farmed out to the lowest bidder, which is \$30 per annum—medicines to be supplied by the incumbent. This is certainly not a good system for any interest but that of economy. The sheriff informed me that the prison has now an excellent attendant physician, but the system is not naturally suited to secure the best class of services. Besides, \$30 is not a fair compensation for the medicines and medical services required in this prison.

Food is served to the prisoners here twice a day, (say) at 8 A. M. and 4 P. M. In the morning, they have fresh meat (mostly beef,) bread and vegetables, with coffee. A sufficient quantity is given them, not only for an abundant breakfast, but for a lunch at midday. In the evening they have, at their own option, either mush and milk or mush and molasses.

The supply of water is abundant. There is a hydrant in the male ward, and the inmates use it without stint. They are required to wash hands and face every morning, and encouraged to wash the whole person daily. Means of heating water for this purpose are provided. When they first come into prison, it is exacted of them that they wash the whole person for several successive mornings, and the turnkey stands by and sees it done. In this way they get the *habit*, and many continue to do it daily; a practice which cannot be too much commended; for it is remarkable how close is the connection between outward and inward purity. Soap, coarse towels and combs are furnished to the prisoners. The beds here are made of rye straw, which is considered the best for the purpose, and the pillows of oat straw. The straw is changed and the ticks washed four times a year. Sheets are not used. The blankets are washed frequently; sometimes as often as once in two weeks. Razors are provided, and the men shave, generally, as often as twice a week. They cut one another's hair as often as they choose, keeping it, for the most part, pretty short.

Clothing (plain and cheap), particularly shirts, are provided for the prisoners, when it becomes necessary. Mrs. Halliday gives a great deal of clothing to the females.

The number and dimensions of the cells have already been stated. They are heated by a large coal stove, and lighted by oil lamps. The prisoners are also allowed the use of a candle at

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 night, on their table, for reading. There are two ventilators in the ceiling of the hall surrounding the block of cells. The male prison has three Bibles, and the female one. There are no slates in either. The entire prison is whitewashed three times a year, and the cells more frequently. The floors are scrubbed twice a week, and present, altogether, a cleaner and neater appearance than I have seen elsewhere. I remarked that there appeared to be absolutely no spitting upon the floor, and, being struck with so strange a fact, I inquired the cause, when I was informed of the following curious and very effective rule: A mop is kept in the hall; if a prisoner spits upon the floor, he has to take the mop and wipe up the spittle, and then carry the mop upon his shoulder, as a soldier does his musket, until he catches a fellow prisoner soiling the floor in the same way, when he hands over the mop to him, and he, in turn, has to go through the same process; first, of cleaning up the dirt, and then of *shouldering* and wearing the implement with which he did it. The prisoners are provided with night tubs, but they make little use of them, as there is a water closet in the narrow passageway at the end of the block of cells, which carries the *fæces* into a sewer, by which means all offensive odor is avoided.

No punishments are inflicted in this prison; or they are so few and slight as to amount to none. The government may almost be said to be parental. Kindness is the great resource, and it is found to be all-sufficient. The sternest and hardest natures are subdued by it. An illustration: There was a prisoner in the jail at the time of my visit, who was brought there strongly ironed, hand and foot, because, as was alleged, it was the only way in which he could be kept in order. As soon as he came under the jurisdiction of Mr. McCann, he instantly had the irons removed, showed the prisoner that he had the physical strength to handle him at will, and told him that they never used such implements there, since they did not need them. Mr. McCann assured me that he never wanted a more docile, obedient, kind-tempered, or well-behaved prisoner. No profanity or obscenity is allowed in this prison. The inmates are distinctly informed of this requirement on entering; and an oath is never heard within the prison walls. Mrs. Halliday is extremely attentive to the prisoners' wants. There is scarcely an hour in the day in which she does not go to their apartments to attend either to

their moral welfare or their bodily necessities. As a matter of course, there is no prison library; but Mrs. H. loans the prisoners all the books they want, which are suitable for their use, as histories, travels, moral tales, juvenile books, &c., &c. Some of them are great readers. Mr. McCann seems to be ever on the alert; his vigilance never tires. Every night, after the prisoners are locked in their cells, he carefully examines every window, grate, bolt, lock, or other appliance for the safe keeping of his charge. A few weeks ago, on going his round, he found that one of the window-grates had been tampered with by a saw. He instantly made investigation into the case. All the prisoners denied having done it. He made thorough search for the implement, and at length found it, before he slept, at the bottom of a barrel of lime, kept in the prison for the purposes of disinfection.

Systematic efforts are made in this prison for the moral and spiritual welfare of the inmates. A pious, devoted, and very competent layman,—Mr. Freeman Fassett,—holds a religious service for the benefit of the prisoners (both male and female) every Sabbath at 1 P. M. The exercises consist of reading the Scriptures, singing, prayer, and exhortation, and continue for about an hour. The prisoners take much interest in them. Mr. Fassett does not content himself with these public exercises, but often converses with the prisoners personally, gives them religious tracts, and, in these various ways, seeks to win them back to the paths of virtue, and save their souls. Nor are his labors wholly in vain. A few instances of conversion have taken place in the prison. One man, accused and convicted of a horrible crime, has, in the conviction of the sheriff, as he assured me, become a real Christian since his commitment. Truly, none are so degraded, so abandoned, so lost, but the grace of God may reach and save them through efforts honestly, faithfully, and patiently put forth to that end.

There have been three cases of insanity in the jail during the year,—all of them, however, placed there merely for safe keeping, till suitable provision could be made for them. They were removed after an incarceration of two or three days.

The prisoners confined in this jail, on their removal (whether by discharge or to go to another prison), seem to feel as if they were leaving a father and mother in Mr. and Mrs. Halliday. If they remain in the neighborhood, they never fail to pay them a friendly visit; if they go to a distance, they rarely fail to

address them by letter. They spoke of them to me in kind and affectionate terms.

All which is respectfully submitted:

E. C. WINES,
Corresponding Secretary.

ELMIRA, November 19, 1863.

11. STEUBEN COUNTY PRISON.

This prison, which is situated in the village of Bath, was visited and examined by the undersigned on the 19th of November, 1863.

The prison is a frame building under the same roof with the residence of the sheriff, whom I did not have the pleasure to see, as he was absent on official business. His clerk received me kindly, and gave me such information as the commitment book and his own knowledge could supply. On some matters of detail touching internal arrangements, he was unable to answer my questions. The jail is a very wretched one, and exceedingly insecure. Nothing but the utmost vigilance and energy on the part of the officers can hold any prisoners. Five broke jail at one time a few weeks ago, two of whom have not yet been retaken. There are two wards in the prison, one above the other. The lower one is in the basement, and has 16 cells, 7 feet long by 3½ feet wide, with very low ceilings and no ventilation at all. The air was foul, and the whole look of the place comfortless and forbidding. The upper ward is more cheerful, and has four cells, seven feet square, with a spacious hall on each side. Two of the upper cells are for men, and two for women, with nothing but a door between, and no egress for the women, except through the apartment of the men. This is a very bad arrangement, as any one will perceive on a moment's reflection.

The commitments for the year preceding my visit, were as follows:

Offences.	Males.	Females.
Assault and battery	18	1
Assault with intent to kill	5	0
Bigamy	2	—
Body execution	7	—
Breach of the peace	5	2
Contempt of court	1	—

Offences.	Males.	Females.
Deserters	3	--
Disorderly conduct	1	--
False pretences	1	--
Felony	1	--
Forgery	2	--
Grand larceny	2	--
Intoxication	24	4
Keeping disorderly house	1	2
Malicious mischief	2	--
Murder	1	--
Passing counterfeit money	1	--
Perjury	1	--
Petit larceny	8	9
Rape	2	--
Robbery	1	--
Vagrancy	--	1
Violation of liquor laws	2	--
Offence not specified	8	--
	<u>99</u>	<u>19</u>

Number in prison at time of inspection	8
Whole number during year	118
Highest number at any one time	18
Average number (about)	6

Three dollars a week are allowed for board, and one shilling for washing, per prisoner. The physician is paid \$25 a year, and supplies the medicines.

Two meals daily are given to the prisoners. The clerk was unable to give the bill of fare, but was sure that the food was both abundant and good. No tea or coffee is furnished, but, instead, a pint of milk at each meal, which is better. The prisoners take their meals in the jail, but have only benches to eat on.

There is a full supply of water. It is pumped into a large cask, which stands in the prison; and drinking water is given to the prisoners whenever they want. In regard to the frequency of changing the straw in the beds, washing the bedding, and other matters relating to cleanliness, I was unable to procure information, owing to the absence of the sheriff. Night tubs are provided, and emptied every morning. There are also privies both in the upper and lower wards.

There is not a Bible nor a slate in the prison. At least, none are provided by the county, although the statute requires that

each cell be provided with both. The punishments are locking in cells, heavy irons, and a diet of bread and water. It sometimes takes several days to subdue a man by these methods. Men have been known to throw away the dry bread given them as a punishment, for two or three days.

All the reading the prisoners get consists of some copies of the county papers.

No religious instruction is ever imparted to the prisoners, nor does anybody ever visit them to speak to them about their souls.

All the women, and nearly all the men, committed to this jail, owe their commitment to strong drink. It would be safe to put down the proportion at nine-tenths.

There has been one case of insanity, or more correctly, perhaps, of mental imbecility. It was the case of a man over eighty years old, who killed a man without provocation or known motive. He has been sent to the Asylum at Utica.

All which is respectively submitted:

E. C. WINES, *Cor. Sec'y.*

BATH, Nov. 19, 1863.

12. ORANGE COUNTY PRISON AT GOSHEN.

I visited the jail of Orange county, in the village of Goshen, on Friday, November 20th, 1863.

The commitments for the year immediately preceding my visit were as follows, as shown by the official record, which was placed in my hands.

Offences charged.	Males.	Fem.	Offences charged.	Males.	Fem.
Abusing wife	1	0	Murder	4	0
Abusive language	0	1	Passing coun'feit money	3	0
Assault and battery	17	2	Petit larceny	36	2
Ass. with intent to kill	3	0	Rape	4	0
Assaulting wife	2	0	Robbery	10	0
Bastardy	5	0	Seduction	2	0
Breach of the peace	4	0	Vagrancy	10	3
Burglary	14	2	On body execution	4	2
Contempt of court	0	2	Witnesses	1	1
Felony	1	1	Offences not specified	3	1
Forgery	3	0			
Grand larceny	26	2	Total	<u>194</u>	<u>33</u>
Intoxication	41	12			
Misdemeanor	0	2	Grand total	<u>227</u>	

The jail is a substantial stone structure, standing in the rear of the court house, from which it is entirely separated. It is two stories high, and has a front of thirty-six feet by a depth of forty feet. There is a hall running through the centre, with a stairway in it, and the cells are on each side of the same, with windows looking out upon the court house yard. There are eight cells in the lower story, each eight by six, and six in the upper story, two of which are double the size named. There is no separate ward for the women, an arrangement, as must be apparent to all, exceedingly objectionable on every ground of decency and propriety.

I regret the absence of the deputy sheriff at the time of my visit. A lad, some twelve years of age, was in charge, who, as well as the prisoners themselves, communicated to me various items of information touching the prison; but I think it proper to withhold information obtained in this manner, lest, by inadvertence or design, I may have been betrayed into error, by reporting which injustice might be done.

All which is respectfully submitted.

E. C. WINES, *Cor. Sec.*

GOSHEN, November 20, 1863.

13. ORANGE COUNTY PRISON AT NEWBURGH.

Orange county, being a holf shire, has two jails, one at Newburgh, and the other at Goshen. I inspected the jail at Newburgh on Friday, the 20th day of November, 1863, and report the following as the result of said inspection.

Whole number of prisoners during the year	384
Number at the time of inspection	18
Highest number at any one time	30
Average daily number (say)	18

The commitments during the year preceding the date of examination were as follows:

Offences.	Males.	Fem.	Offences.	Males.	Fem.
Assault and battery	32	10	Ass. with int. to ravish	3	0
Assault with int. to kill	8	1	Malicious mischief	1	0
Assaulting officers	3	0	Murder	5	0
Bastardy	1	0	Petit larceny	21	8
Breach of the peace	9	6	Rape	1	0
Burglary	8	2	Receiving stolen goods	1	2

Offences.	Males.	Fem.	Offences.	Males.	Fem.
Disorderly conduct	7	3	Seduction	1	0
Deserters	3	0	Vagrancy	24	52
Forgery	3	0	Witnesses	3	1
Grand larceny	23	1	Riot	30	0
Indecent exposure	1	0	Sodomy	1	0
Intoxication	82	25			
Keeping house prostit'n	1	1			
				272	112

It should be stated, in this connection, that, as there are occasional transfers from the prison at Newburgh to that at Goshen, and conversely, the same offence, as chargeable to the whole county, is, in a few instances, counted twice. It will be noticed, also, that a very considerable proportion of the offences charged are of a minor character, as vagrancy and the like.

The prison at Newburgh occupies a portion of the basement of the court house, much too small a portion for the proper and comfortable accommodation of the prisoners. There is but one ward for men and women. There are only five cells in all, one of which is fifteen feet square, and the other four are eight feet square. To the men are assigned the two cells at the two extremes: to the women, the three intermediate ones. There is a narrow passage way some three to four feet wide, in front of the cells. The use of this is divided between the sexes as follows: From one o'clock p. m., to 7 or 7½ a. m., the women are the occupants, and the men are locked up within their cells; during the intervening six or seven hours the men have the use of it, and the women are locked in their cells. But all the time, except during sleeping hours, they can see each other through the opening in the cell doors, and converse together as freely as if they were in the same apartment. This is the most objectionable arrangement I have ever seen in any prison in the State, and must be very corrupting in its influence. Outsiders can come near enough to talk to the prisoners in the cells, and formerly they could and did pass up many things to them, particularly liquor. Stout and close wire gratings have been placed at the windows, which effectually prevent all attempts of the kind. The prison seems to be a very secure one, and escapes are very rarely made or attempted.

The prisoners have no occupations, except to corrupt one another by tales of crime or obscene discourse.

Only \$2 per week is allowed for boarding the prisoners, and \$1 for washing all their clothes. This is much too little for

these times. The physician receives \$25, and furnishes all the medicines needed.

There have been no deaths during the year, and no sickness, except delirium tremens, venereal, and some minor ailments.

The prisoners are fed three times a day. For breakfast, they have bread and molasses and bread and meat on alternate days; for dinner, they have soup (beef or bean), bread, and sometimes vegetables; for supper, mush and molasses.

The prison has an abundant supply of hydrant water. The prisoners are provided with soap and towels, and are required to keep themselves clean. They are also furnished with a razor and must shave once a week, and not infrequently they do it oftener. The straw in the beds is changed, the ticking and blankets washed, and the whole prison thoroughly cleansed three times a year, and when needed oftener, particularly as it respects the blankets. Each cell is furnished with a bible.

There is a good supply of prison shirts for the use of the inmates, and clothing is supplied whenever it is found to be necessary.

The prison is warmed with a coal stove and well lighted with gas. There is no ventilation for the cells, and with the number of prisoners confined here the air must necessarily be very impure. It would be more so if a free use were not made of lime. The cells are very frequently whitewashed; the floors scrubbed twice weekly. They are said to be almost entirely free from vermin. No night tubs are used; every cell has a water closet, with all the usual appliances. Upon the whole it appeared to me that very energetic and praiseworthy efforts are made here to keep both the prison and its inmates clean, and that a good degree of success is attained therein.

Not much punishment is used; admonition, counsel, kindness, moral suasion being found, in most cases, sufficient to secure order and obedience. When punishment does become necessary, a darkened cell, with a diet of bread and water, speedily brings the offender to his bearings.

Newspapers are given to the prisoners, and Mrs. Hanmore, wife of the sheriff, who seems to take a very lively interest in the welfare of the prisoners, often loans them books.

The women, without exception, and the men, with few exceptions, who come here at all, come as a consequence of intemperance.

A former report on this prison by a committee of the Association, in which the total neglect of the spiritual interest of the inmates was set forth in somewhat severe terms, seems not to have been without a good effect. There is no fault whatever to be found with the prison at present on this score. The Rev. Mr. Murray, a faithful and devoted man, who has a heart to sympathize with the fallen and wretched, officiates as chaplain both to the almshouse and the jail. He holds a religious service regularly every Sabbath morning from 10½ to twelve, at which all the prisoners are required to be present. Nor does Mr. M. content himself with the discharge of these public duties, but converses with the prisoners personally, distributes tracts and religious books among them, carries messages between them and their families and friends outside, and so makes himself not only useful but very acceptable to the persons for whose benefit he labors. They respect and love the man, attend with decorum upon his religious services, and receive kindly his spiritual labors in their behalf. Mr. Murray is frequently assisted in this labor of love by the Rev. Mr. Hyer.

Three or four insane persons have been in the jail for a short time during the year, but they have speedily been removed to the almshouse.

All which is respectfully submitted.

E. C. WINES,
Corresponding Secretary.

NEWBURGH, November 20, 1863.

14. DUCHESS COUNTY PRISON.

I visited and inspected the jail of Dutchess county, situated in the city of Poughkeepsie, on the 21st day of November, 1863. This is a substantial and handsome brick structure, 50 feet by 30 feet, standing directly in the rear of the court house. It is surrounded with a brick wall eight feet high, from whose top bristles a row of stout, sharp-pointed iron spikes. The jail is two stories high, with a basement. At the south end, in the first story, there is a reception room (15 by 18), in which the Recorder holds his court for the trial of trivial offences, and the bedroom of the jailor (12 by 15). There is a small window in each, through which can be seen whatever is going on in the jail. Over these apartments are two others of the same dimensions, in the second

story, designed for the use of prisoners in sickness, and for the accommodation of prisoners in general, when the jail may happen to be crowded. The block of cells is in two stories, with a spacious hall in front, separating it from the apartments just described. This hall is separated from the corridors encircling the cells by a grating of iron bars, extending up to the ceiling. There are four ranges of cells, each containing six cells, with a good-sized window in front, guarded by three upright iron bars and by immovable iron shutters, painted of a light brown color. These have replaced the wooden ones which Mr. Gould found here last year. The cells—24 in all—are 8 feet by 4. There is an aperture for ventilation in each cell, and a ventilator, also, in the ceiling of each of the corridors. Upon the whole, this jail is by far the most neat, airy and commodious I have yet seen in the State, and must, also be reported as being secure as a jail can ordinarily be made.

There is one arrangement, however, exceedingly objectionable. The lower range of cells, on the west side, is set apart to the use of the women; the range immediately above is for men, and the division between them is in part open iron work, so that they can see and converse with each other as well as if they were in the same room. I was informed by the jailor that the talk between them is often very filthy. He can hear it very distinctly in his bed room, and so can families living in the immediate neighborhood. A change of arrangement ought to be made here with as little delay as possible. I would recommend that the two rooms in the second story be fitted up suitably and made secure as a female prison, so that there may be a total separation between the sexes.

The commitments for the year are as follows:

Offences.	M.	F.	Offences.	M.	F.
Abortion.....	0	2	Malicious mischief....	1	0
Arson.....	2	0	Murder.....	1	0
Assault and battery....	35	8	Passing coun'feit money	3	0
do with intent to kill	11	0	Petit larceny.....	25	4
Bastardy.....	1	0	Prostitution.....	0	30
Bigamy.....	2	2	Rape.....	6	0
Contempt of court....	1	0	Highway robbery.....	1	0
Desertion of family....	2	0	Threats.....	1	0
Disorderly conduct....	8	0	Vagrancy.....	25	13
False pretences.....	2	0	Violation of liq'r laws	4	0
Grand larceny.....	6	1			
Intoxication.....	175	40	Total.....	317	95

It is thus seen that the whole number of prisoners during the year has been 412; the number at the time of my visit was 18; the highest number at any one time was 35, and the average daily number about 20.

The allowance for board per prisoner has heretofore been \$2.25 a week, and for washing \$125 for the year. The physician receives a yearly compensation of \$50, and provides the medicines.

There have been two deaths during the year, one caused by delirium tremens, the other by chronic inflammation of the bowels. Both diseases were contracted before imprisonment. The general health of the prison has been good. The diseases most prevalent are venereal and tremens.

The prisoners are fed twice a day, at 7½ and at 1. For breakfast, they have wheaten bread, meat, and potatoes, or other vegetables; and for dinner, much the same. The meat is generally beef, sometimes pork. If they want a piece of bread at night, it is given them. No drink is provided, except water. They take their meals either in the corridors or their cells, as they please.

The prison is well supplied with filtered rain water, which is pumped directly into it. The prisoners are allowed access to the pumps three times a day. Soap and towels are provided, and the prisoners are required to wash themselves daily. No provision, however, is made for bathing the whole person. It is very desirable that a bath tub, or what is better, a plunge bath, should be introduced. The prisoners' beds are of rye straw, which is changed, and the ticking washed, twice a year. Sheets are not provided. The prison blankets are washed some four or five times a year.

Necessary clothing, particularly shirts, are provided for the prisoners by the county.

The prison is lighted by gas; two burners are kept constantly burning at night. It is warmed by hot air from a furnace. A ton of coal per week heats the whole building, making it sufficiently warm in the coldest weather.

The cells are provided with Bibles at the expense of the county, but it is found difficult to keep them.

Night tubs are used, and emptied each morning.

Punishment is seldom found necessary. When the necessity for it arises, confinement to the darkened cell, with the addition of irons in bad cases, is the only recourse, and this is, as a general thing, speedily effective.

As in other county prisons, no books are provided for the use of the inmates. Some of the inmates take a newspaper, and other papers are occasionally handed in to them. This is all the intellectual pabulum provided for the 400 human beings committed to this prison during the past year.

Religious services have been held every Sabbath afternoon in the prison, chiefly by a young gentleman of the name of Perkins. Several Quaker preachers have also officiated. Mr. Perkins has distributed tracts among the prisoners from time to time. The prisoners seem to prize and enjoy the services held for their benefit.

Rum is here, as elsewhere, the great stimulus to crime, seven-eighths of the committals are directly caused by it.

All which is respectfully submitted.

E. C. WINES,
Corresponding Secretary.

POUGHKEEPSIE, November 21, 1863.

15. HERKIMER COUNTY PRISON.

I examined the jail of Herkimer County, situated in the village of Herkimer, on the 11th of September, 1863.

The jailor's book does not shew the crimes of the parties committed, and the names could only be ascertained from it since the 1st of January. Eighty-seven persons appear to have been convicted between January 1st and the day of examination. The only clue to the character of the crimes was afforded by the warrants of commitments on file, of which only fifty-one could be found, leaving thirty-six to be accounted for. Of the fifty-one, there were committed for—

	Males.	Females.
Assault and battery	5	1
Counterfeit money	1	0
Grand larceny	2	0
Breach of peace	1	0
Buglary	3	4
Execution	3	0
Intoxication	6	1

Petit larceny	11	2
False pretences	2	0
Assault and battery with intent to kill	1	0
Assisting to break jail	0	1
Vagrancy	0	2
Rape	1	0
Attempt to murder	1	0
Prostitution	0	1
Contempt of court	0	1
Violation of excise law	1	0
Assault with intent to commit rape	1	0

Making an aggregate of 39 males and 13 females. In addition to the above, 50 deserters from the United States army have been confined. At the time of my visit, 7 males and 2 females were in confinement. The average number in confinement is 6 males and 2 females. The prisoners have no labor except the cleaning of the jail. The jailor receives two dollars and seventy-five cents per week for the board of the prisoners. Combs, razors, soap, and towels are furnished as they are needed, at the expense of the county; the whole jail is whitewashed once a month, the labor being done by the prisoners.

No deaths have occurred since January 1st. Six patients have been treated for venereal diseases, and 2 for delirium tremens. All the water used in the prison is carried in pails. The prisoners are compelled to wash themselves once a day. Clothing, when necessary, is furnished to the prisoners at the expense of the county. The bunks are made of galvanized zinc, which are a novelty to me. Two blankets are allowed to each prisoner, which are washed once a fortnight; the body clothing of the prisoners is washed once a week. There is no ventilation except through the outside windows. There are night tubs in each cell, which are emptied daily. No vermin except when there are deserters confined, at which times it is impossible to keep free from them. Bibles are furnished, but no tracts or slates. Only one prisoner is confined in the small cells, but three or four are confined in the larger ones. The prisoners, when unruly, are sometimes locked up, and sometimes put in irons. No other punishments are inflicted. There is no prison library. No classification is attempted, except the separation of the men from the women. All correspondence between the

prisoners and their friends is inspected by the keeper, and if unobjectionable, is allowed to pass. No religious instruction whatever is given in the prison. There have been no insane prisoners. The prisoners are locked in their cells from sunrise to sunset, and the rest of the time they can communicate with each other in the corridors.

The prisoners have three meals a day. For breakfast, they have meat, potatoes, good white wheat bread, and coffee, such as is purchased at the stores for 25 cents per pound. For dinner, bread and milk. For tea, cold meat, bread and butter and potatoes, and frequently gingerbread, or pie, is added to the bill of fare. On the day of my visit, a piece of apple pie was laid on each prisoner's plate. This fare is quite too good for such a place, and makes confinement quite attractive to a certain class, who are committed almost every month, and are known to jailors as "revolvers."

The odor of the prison was unpleasant, the floors and walls dirty, and no provision exists for lighting the lamps at night. The prison is heated by a hot air furnace, which is said by the jailor to keep it sufficiently warm in the winter. There is no ventilation except from the outside windows.

The jail is strongly constructed of large stones, strongly doweled together. It is 80 feet long by 32 feet wide. The jailor's apartments occupy the whole front of the jail, and are 32 feet deep. There are 4 cells 12 feet square, and 11 cells 6 feet by 12 feet. There are besides these, 4 strong rooms for debtors, witnesses, and women, in the upper story. The corridors are too narrow for health or safety. If the interior gratings of the outside windows were made of steel it would be very strong. There has been one escape this year, which was effected very ingeniously. The wife of one of the prisoners came and wished to see him in the latter part of the afternoon. Soon afterwards she knocked to be let out, as she was going off in the cars. She was accordingly allowed to come out, but her husband was underneath her spreading crinoline, and came quietly out with her and escaped.

It seems to me that the habit of permitting prisoners to associate together during the whole day, which prevails in this prison, as well as in nearly every prison in the State, is one replete with mischief, and is the chief cause of the corruption which has been so much complained of. The young and the old

are here brought into close contact, and the adept in crime teaches the young man and the mere boy all the secrets of crime, who soon becomes as expert a criminal as his teacher. Jailors and sheriffs can hardly be blamed for allowing the practice, as, in consequence of the absence of ventilation, the air becomes so insupportably corrupt during the night, that the health of the men would be destroyed if they were not allowed access to the fresher air of the corridor. If we would escape these evils, we must build cells of sufficient size, and so well ventilated, that men can be kept in them continuously without injury to their health.

However men may differ with respect to the solitary or congregated systems for our State prisons, there is an entire agreement among all who have turned their attention to the subject of prison discipline, that at the common jail perfect isolation is equally demanded by the welfare of the criminal, and the security of society, and the friends of reform ought never to intermit their efforts until the result shall be effected in every jail in the State.

The exterior walls of this prison are very admirable for their strength, but the interior needs to be remodelled in order to adapt it to the purposes for which it was constructed. In this, as well as in other prisons, more strenuous efforts should be made to maintain perfect cleanliness. It is, no doubt, a very difficult task, but the results would more than repay for the labor required to enforce it.

JOHN STANTON GOULD.

16. MONTGOMERY COUNTY PRISON.

I visited the jail of Montgomery county on the 12th of September. It is situated in the village of Fonda, directly in the rear of the court house.

The commitments from Aug. 1st, 1862, to Aug. 1st, 1863, were as follows:

Intoxication.....	46
Deserters.....	25
Vagrancy.....	26
Disorderly.....	14
Larceny.....	9
Petit larceny.....	30
Assault and battery.....	11
Witness.....	1

Attempt to break jail.....	1
Breach of peace.....	16
Forgery.....	2
Robbery.....	1
False pretences.....	1
Riot.....	2
Safe keeping.....	6
Contempt of court.....	1
Burglary.....	1
Assault with intent to kill.....	4
Execution.....	1

Making a total of 200 persons committed during the year; the books were so kept that the sexes could not be distinguished. On the day of my visit there were only three prisoners in confinement, viz., one man and two boys. The average number during the year was 8 men and two women.

The jailor receives \$3.00 per week for the prisoners' board, and \$1.20 per dozen for washing. The physician receives \$30 per annum for his attendance. He is bound to furnish the medicine required for this sum, but in practice the county pays extra for many of his prescriptions.

Soap and towels are furnished to the prisoners by the county, but not combs or razors.

The jail is white washed once in two months, which, like all the labor of cleaning the jail, is performed by the prisoners. The jail was kept clean, as were the prisoners, who are required to perform daily ablutions.

There have been no deaths during the year. 12 cases of venereal disease and 4 of delirium tremens have been treated: No other cases of disease in the prison.

They have three meals a day. Breakfast—meat or fish with bread and potatoes; dinner—meat, vegetables and bread; supper—bread and butter, or mush and molasses. The quality of the food is excellent, and the quantity is abundant.

The prisoners are locked in their cells at sunset and let out into the corridors at sunrise.

The water is all carried into the prison in pails, but there is a sink for carrying off the waste water.

Clothing is given to such prisoners as require it.

They use wooden bunks and straw beds in the cells, and each prisoner is allowed two blankets. There is a covered night tub

in each cell. Bibles and tracts are furnished by an association in the village, but no personal instruction is given. The jail is at present free from vermin, but in the winter, when the jail fills up with canal boatmen, it is found impossible to keep it clear of them, that is, the jailor thinks it is impossible; but thorough cleaning, and the free use of onguentum will keep them free at all times, if rigidly persevered in.

There are no punishments in this jail except locking in the cells and ironing. No library in the prison. The only classification attempted, is the separation of the men from the women. The prisoners are allowed to correspond with their friends under the inspection of the jailor. There have been no insane persons confined here. No money is given them on leaving, to defray their expenses to their homes.

Owing to the faulty construction of the jail, escapes are frequent. All the windows are double ironed *except one*, the authorities singularly forgetting that the strength of a prison is measured by the *weakest* part. There is a door opening directly out of the jail into the street, through which several prisoners have escaped. The county greatly needs a new jail, which would be less expensive than to make the old one strong.

The jail building is 40 feet by 52. It has 16 cells, 6 feet by 4 feet 6 inches, and two large rooms. There is no ventilation except from the side windows. It is warmed by two wood stoves, and has its floors flagged. There is no means of lighting it at night.

The jail is kept in a very cleanly condition, but the cells are terribly offensive in the morning when prisoners have been confined in them all night. Six prisoners have escaped during the present year, two were recaptured, and one of these escaped a second time. Two boys were in the jail at the time of my visit for stealing fruit, they were the companions of an old offender who will delight to initiate them in all the mysteries of his profession, and they will thus be made confirmed thieves for life. Illustrations of this kind crowd upon me at every jail that I visit.

JOHN STANTON GOULD.

17. ONEIDA COUNTY PRISON AT ROME.

The county of Oneida is a half shire county, having two jails, one of which is in Rome, the other in Utica.

I visited the jail at Rome on the 9th of September. During the year between the 1st of August 1862, and the 1st of August 1863, there were committed for

	Males.	Females.
Drunkenness	252	25
Disorderly conduct	18	3
Breach of peace	11	3
Assault and battery	20	2
Witnesses	0	1
Burglary	6	0
Seduction	4	0
Forgery	4	0
Vagrants	20	4
Deserters	34	0
False pretences	7	0
Petit larceny	14	7
Grand larceny	14	0
Prostitutes	0	3
Arson	1	0
Contempt of court	2	0
Jail breach	1	0
Crazy	5	0
Coining	2	0
Counterfeit money	3	1
Abandoning child	0	1
Felony	1	0
Selling liquor without license	2	0
Bigamy	1	0
Malicious trespass	1	0
Murder	2	0

Making an aggregate of 425 males, and 50 females, or a total aggregate 475 persons for the year.

It is quite impossible to ascertain from the jail books any particulars respecting the color, nationality or civil condition of the persons committed, or in fact any other particulars respecting them, than the date of commitment, the offence charged, and the sex. As I shall have occasion to make the same statement respecting all the jails visited by me, I recommend the passage of a law prescribing an uniform method for keeping the books of jails and prohibiting boards of supervisors from auditing jailors' bills until they are satisfied that the books have been kept in all re-

spects according to the provisions of the statute. We would thus without trouble or expense obtain much valuable information which it is now impossible to acquire.

At the time of my visit six males were in confinement, but no females. The average number during the year in confinement at one time has been 6 males and 1 female. These have had no employment whatever, except cleaning the jail when required to do so by the jailor.

The jailor receives \$1.75 per week for the board of the prisoners; there is no allowance for combs or razors, but soap is allowed for washing the prisoners by the county, and there is an allowance for washing the clothing and bed clothing of the prisoners, which varies annually.

The Physician is allowed \$40 per annum for his services in lieu of fees. He is expected to furnish his own medicines, but he sometimes gives prescriptions, which are furnished at the expense of the county. It is clear that the physician is much underpaid; but the practice of smuggling the price of his prescriptions through the board of supervisors is wrong in principle, and may lead to great frauds on the county treasuries. It would be much better to give the physician a stated compensation and to make a contract with a druggist to supply the medicines which may be prescribed.

There have been no deaths at this prison during the past year. One person has been under treatment for liver complaint, one for cholera, and one for cholera morbus. About 20 have been treated for delirium tremens, and 10 for the venereal disease.

They have two meals a day; salt beef or pork, with bread and potatoes, and milk or molasses and water, is given for breakfast, and mush and molasses for supper. Each prisoner has as much as he asks for, without stint.

No water can enter the prison but such as is carried in pails. The prisoners are not compelled to wash or clean themselves, but are left, in this respect, entirely to their own volitions. They all looked dirty when I was there. Their clothes are washed once a week, and their bedding once a fortnight. At the time of my visit, their clothes and bedclothes were as dirty as their persons. They are furnished with such clothing as they need at the expense of the county.

No punishment is administered, except locking in their cells, when they are unruly; but such is the want of ventilation, that

this cannot be done for any length of time without great injury to the prisoners' health. There is no library, nor any classification, except the separation of the sexes. They are permitted to correspond with their friends outside, and if the prisoner is suspected of being dangerous, the letters are inspected by the jailor, otherwise, they are sent and received without examination. There are no Bibles or tracts in the jail, nor are the prisoners ever visited by any clergymen, or others having their moral improvement in view.

The jailor, who is universally represented as a very humane man, often gives money out of his own pocket to pay the passage of prisoners to their homes, but no allowance for this purpose is made by the county.

There are two tiers of cells, one above another, making sixteen cells in all; besides which, there is a strong room in the upper story, for the confinement of females. There is no railing to the upper gallery, which I deem very dangerous, especially to the jailor. There is no ventilation, except four windows, opening from the area, and the smell of the prison is very offensive. It is warmed by one wood stove. There is a provision for lighting it in the night with gas, but it is not used. The prisoners are all permitted to herd together in the area during the daytime, but are locked into their cells at night. Those committed for serious crimes, are locked at night in separate cells. Drunkards, and those committed for trivial offences, are confined with two in a cell. There have been no escapes during the past year. It is only whitewashed once a year, and the cells are infested by bed-bugs. Since so many deserters have been confined here, they have introduced lice, which now swarm in some of the cells. The brick walls are planked on the inside with two thicknesses of four inch oak plank, and were the inside gratings of the windows furnished with steel bars, it would be very strong. Were there loop holes constructed, so that the prisoners could be seen by the keepers without their knowledge, it would add much to the security of the prison. Each prisoner is furnished with a night tub, which is emptied daily.

JOHN STANTON GOULD.

18. ONEIDA COUNTY PRISON, AT UTICA.

I visited the jail at Utica on the 11th of September, 1863, and obtained from the jailor's books the following statistics, which were all that could be obtained from them. They extend from August 1st, 1862, to August 1st, 1863:

	Males.	Females.
Drunkenness	194	47
False pretences.....	7	--
Deserters.....	149	--
Counterfeit money.....	12	1
Breach of peace.....	21	1
Violation of city ordinance.....	21	3
Petit larceny.....	20	2
Aiding deserters.....	4	--
Vagrancy.....	16	8
Assault and battery.....	30	1
" " " with intent to kill.....	5	--
Coining.....	7	--
Malicious trespass.....	10	1
Forgery.....	2	--
Grand larceny.....	6	--
Picking pockets.....	1	--
Burglary.....	4	--
Disorderly.....	--	12
Perjury.....	1	--
Witness.....	1	--
Violation of Sabbath.....	1	--
Buying soldiers' clothing.....	1	--
Taking money letters from post office.....	1	--

Making an aggregate of commitments for the year, of 514 males and 76 females. Total commitments, 590.

On the day of my examination there were sixteen males and four females in confinement. The average during the year has been twenty-three males and seven females. There is no employment whatever provided for them, except cleaning the interior of the prison when required by the jailor.

The jailor is allowed \$1.75 for the board of the prisoners, and a variable amount for washing the body and bed clothes of the prisoner, soap for the prisoners is allowed by the county, but nothing for towels, combs or razors.

The physician is allowed \$30 per annum, and finds his own medicines.

There have been three deaths in this jail during the year, viz., one from delirium tremens, one from old age, and one by accidentally falling from the platform of the upper cell which was not railed at that time, but has been subsequently supplied with a railing.

There have been treated within the jail fifty cases of delirium tremens, and sixteen cases of venereal disease, viz., six men and ten women. With these exceptions there have been no diseases in the jails.

The prisoners are fed twice a day. In the morning with bread, meat and potatoes; in the evening with mush and molasses. If, as is sometimes the case, the mush disagrees with the men, they are allowed bread in the place of it. No drink is allowed except water, with either meal. There are no means of supplying water except by bringing it in with pails. They are not compelled to wash themselves, though they have as much water as is necessary if they desire to do so. They do not, however, often avail themselves of the privilege. Clothing is furnished by the county when needed. No punishment save locking in their cells is inflicted in this jail. No library is provided for the use of the prisoners. Decent prisoners are confined in the cells on the south side, the dirty ones on the north side, and there are two strong rooms in the upper story for the confinement of women and witnesses. There is therefore a better provision for classification of prisoners here than in most jails. The prisoners are allowed to correspond freely with their friends outside. One Bible is kept in the area of each prison; no tracts are furnished, nor is any provision whatever made for the religious instruction of the inmates. One insane prisoner has been sent to the lunatic asylum during the year, he was insane when admitted. No money is ever given to the prisoners on leaving the jail.

There are two tiers of cells making twenty in all, besides which there are two strong rooms in the upper story for women and witnesses. In front of the doors leading to the corridors are strong joists, which would detain the prisoner for some time after they had broken out of jail. The walls of the jails are of stone and those of the keeper's dwelling of brick. There is a round tower at each corner of the west end, where large

night tubs are placed that are emptied daily. The walls are very loosely built, and could be easily dug through in two hours, by the aid of a case knife by an old hand. The cells are strong, but if the prisoner gets out of these there is but little difficulty in escaping from any other part of the prison.

The prison part is thirty-four feet long and twenty-eight feet wide; the keeper's apartments twenty-three feet by 28 feet. There have been two escapes during the year. There is no provision for ventilation. The prison is in a dirty condition and smells very offensive, especially in the north corridor. Each corridor and each strong room is warmed by one wood stove. There is no provision for lighting the jail at night.

Both the jails of this county are insecure, dirty, ill-ventilated, and consequently smell very offensively. It may be stated in relation to them, what is true of nearly every county in the State, that the board of supervisors are unwilling to make the appropriations necessary to make the jail secure and healthy, and when money has been appropriated, it has been wastefully and injudiciously applied, from ignorance of the conditions necessary to secure strength and healthiness.

When appropriations are thus made by boards of supervisors, they are usually expended by committees of the board, who have never seen any other jail nor are at all aware of the devices resorted to by prisoners to effect escapes. It cannot therefore be expected that they will know how to guard against them.

To remedy these evils it seems to me that a law should be enacted, forbidding boards of supervisors to appropriate any sums of money for the erection of new jails or the repairs or alteration of old ones, without first submitting the plans for the work to some officer or public body, which may be reasonably supposed to have some special knowledge on the subject, and receiving his or its approbation of such plan before it is put in execution. The executive committee of the Prison association is obviously the body best acquainted with the whole subject, and best calculated to give reliable advice respecting it. If it is deemed undesirable to lodge this power in their hands, it might be placed in the hands of the State Engineer, who would doubtless consult with the executive committee of the Association before assenting to the plan which might be submitted to him.

If this plan should be adopted by the Legislature, progress

will hereafter be in the right direction, and we may eventually obtain jails in every county which are well calculated to keep all our criminals securely, without injury to the health and without increasing the corruption of their morals.

If this, or some similar change in our laws is not made, the present evils of our system so injurious to the community, and so disgraceful to our civilization, must be perpetuated.

The number of persons committed for drunkenness shows how large a proportion of the cost of crime arises from this source. There are no statistics on the jailor's books, from which we may ascertain, with accuracy, how much of other crimes is due to this cause, but I was assured by the jailors, as the general result of their observations, that nearly all the men who are committed for other offences were in the habit of drinking intoxicating liquors in excess, and that nearly every female prisoner was both a drunkard and a prostitute.

It is a subject of regret, that over one thousand persons, so much needing moral instruction, should pass through the jails of this county without hearing one word of advice, or exhortation, or instruction, during their residence within the walls. Doubtless, it is a hard field of labor, but a few, at least, might be reclaimed to the paths of rectitude by faithful and affectionate labor perseveringly applied. It seems that it ought to be sufficient to rouse the Christian public to enter upon this work, to announce that such a destitution exists in their midst.

The jailors did not seem to be aware that any liquor was introduced into the prisons, or that gambling was ever practised within their walls; but it was obvious to me that liquor and cards, or other gambling apparatus, might be introduced from the outside, and that the means of inspection, accessible to the keepers, were not sufficient to enable them to prevent it. I learned from outside enquiries that liquor was frequently introduced, and that the prisoners amuse themselves with gambling.

Our jails throughout are lamentably deficient in means of inspection, which might be provided at an average expense of fifty dollars, so that the jailor might see all that was going on in any part of the prison without being seen himself. Were these arrangements judiciously made, gambling and drinking might be entirely banished from our prisons.

JOHN STANTON GOULD.

19. FULTON COUNTY PRISON.

I visited the prison of Fulton County on the 12th September, 1863. The jail books were not at hand when I visited the jail; consequently I could not ascertain the commitments for the year.

There were 2 males confined at the time of my visit; the average number is 3. Females are very rarely committed to this jail. The prisoners have no employment whatever.

The jailor receives \$2.75 per week, and 50 cents for washing, for each man. The jail is whitewashed twice a year. The physician receives \$1 for each visit, and furnishes all the medicine. As much soap as the prisoners need is allowed them, but no combs or razors. There have been no deaths during the past year. Two cases of venereal diseases, and eight of diarrhoea, have been treated during the year.

They are fed three times a day. Breakfast: salt beef or pork, potatoes, bread and coffee. Dinner: potatoes, bread, vegetables, and meat or soup. Baked pork and beans twice a week. Supper: bread and tea.

Each room is warmed with a wood stove, but there is no provision for lighting the rooms at night.

All the water used by the prisoners is carried in in pails.

The bed clothes are changed once in two weeks, and the body clothes once a week. They are furnished with clothing at the expense of the county when needed.

The only punishment inflicted on refractory prisoners is confinement in a dungeon. There is no library for the prisoners.

Criminals are kept by themselves; those on trial are confined in separate apartments from the convicted, and women from the men. The prisoners are allowed to correspond with their friends; and there would be little use in forbidding it, as the cells open on the street, and nothing is easier than for them to receive letters, liquor, or tools from the outside without the knowledge of the jailor.

No bibles, tracts, or slates are given to the prisoners, but they are sometimes visited by the clergymen of the village.

No insane persons have ever been confined during the administration of the present jailor. There has been one prisoner escaped during the past year.

The lower portion of the building is used as a residence for the jailor. The jail is very unsafe, the stones being easily pecked

out. The doors are of boiler iron, with a diamond, through which the food is handed in. The gratés are of very soft iron, little more difficult to cut through than pewter.

The beds are wooden bunks. Fulton county greatly needs a new jail.

JOHN STANTON GOULD.

The undersigned, appointed to represent the Prison Association, as visitor and inspector of the following county prisons, viz.—Washington, Warren, Essex, Clinton, Franklin, St. Lawrence, Jefferson, Lewis, and Oswego,

REPORTS:

That in the month of October he visited the same, excepting that of Essex county; which exception was occasioned by a failure in railroad connections.

20. WARREN COUNTY PRISON.

Its prison is in the basement of the county court-house, situated in the village of Caldwell, at the head of Lake George. The building was erected many years since, and it would seem, without any proper consideration for the arrangement for prisoners, or for the domestic accommodation of those having the building and prisoners in charge. It is in every particular deficient as a prison, however pleasant and convenient it may be as a court-house. Two apartments in the north-west corner of the basement, 9 feet by 12 feet in dimensions, low, damp, dark, with rough bunks for beds—a small window at the surface of the ground; and a hand-hole in the door for communication with the hall—constitute the entire cell accommodation for male prisoners. Another apartment, adjoining these, of similar character, mostly occupied as a store-room, is used as a cell for females, when required. These arrangements are flagrantly inadequate for the purposes, and shamefully unhealthy. The keeper stated it was necessary to have fires in the summer to correct the dampness; and even with such precaution, if prisoners were detained any length of time, sickness of some kind would occur. The security of the prisoners, and arrangements to prevent communication with the outside, are quite defective. Escapes of prisoners have occurred under most of the keepers; two last winter; one of them, lately retaken, was the only one in confine-

ment at the date of inspection: he was originally committed for passing counterfeit money; had been in prison six weeks when he broke jail;—was then sick with inflammatory rheumatism, and has not since recovered. He is a native of Massachusetts—of respectable family—good education—has a family—attributes his dishonesty and degradation to an early departure from the path of virtue, and associations with dissolute and intemperate persons. He expressed deep contrition, and avowed a firm resolution to return to the path of virtue. Your committee spoke encouragingly in the line of such good intentions, and assured him if he made good his resolutions during the probation, which he would have to pass in prison, as a penalty for the crimes he had committed, that the Prison Association would lend him aid when the period of his sentence should expire.

Warren county is but sparsely populated—resulting from its geographical and geological character—with no large town or village, excepting Glens Falls. Its jail seldom has many in confinement—highest number at any time under present keeper 15—, and some of these on ten days commitment for drunkenness; the average for the year not to exceed three. From these circumstances, the county does not require extensive prison accommodations; still public policy and humane considerations demand much better than at present exists. At this prison the native born usually exceed in number the foreigners.

The condition of the jail, aside from its very defective arrangements, appeared to have proper care from the keeper.

21. WASHINGTON COUNTY PRISON.

It has two prisons—one at Sandy Hill, and one at Salem. The former is a portion of an old style wooden county court house; rooms with iron grated windows and iron bound doors used for the temporary detention of prisoners during the sessions of the courts, sufficient, perhaps, for such special and limited purpose, providing proper vigilance is exercised by those in charge. The one at Salem is the county prison proper, and in most particulars well arranged and sufficiently commodious, built of brick—the cells 16 in number erected in the centre, two stories, and with iron corridors and steps, warmed by stoves, and lighted with lamps, which are extinguished at 9 o'clock. The cells are 5 feet by 7 feet

in dimension—two of larger size appropriated for debtors and females, has a well of water with pump, within the building, water tanks and night tubs in good order. The building is well arranged to prevent communication with the outside. Two escapes from the roof under the present keeper, and a late attempt by breaking through the walls was nearly successful—arrangements have been made which will prevent hereafter such modes of escape.

At the visit but five prisoners—one for arson, two for riot and assault with intent to kill, one for grand larceny, and one a deserter, all natives, one married, one a colored man. Five is about the average number for the year; at times, however, it swells to the full capacity of the prison.

This county is mainly agricultural in character with a population of about 50,000. Whitehall and Fort Edward, the chief trading points, where there is quite a percentage of foreign inhabitants, still at the prisons the natives usually much exceed the foreigners in number.

This prison has the appearance of careful and judicious attention from the keeper, and the sheriff, who also seems to take a personal interest in the present comfort and future welfare of the prisoners.

22. CLINTON COUNTY PRISON.

Its prison is located in the village of Plattsburgh, built of stone, 36 by 24 feet in dimensions, two stories, has 18 cells 5 feet by 7 feet on the ground floor, communicating with a hall 33 by 9 feet; in the upper story two large rooms for females and one for debtors. The building is illy arranged to prevent communication with the outside, and its general security is capable of much improvement. The cells on the ground floor are dark, damp, and but poorly ventilated, as is also the hall where the prisoners pass the day and take their meals.

The undersigned, as a committee from this Association, has on two previous occasions, in 1853 and 1854, visited and examined this prison and made reports thereon; on the first visit, in 1853, he appeared before the board of supervisors, and freely expressed his opinion of the wretched and insufficient condition of the jail accommodations, and that no alteration of existing building

could render it such a prison as sound policy and humane considerations demanded. On the second visit, in 1854, the undersigned in his report, speaking of the then condition of the jail said:—"It is a satisfaction to the committee to be able to state in this report that he found extensive additions and improvements being made, which, when completed, will render the building 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." The result of the experience had since the date of that report, upon inquiry and examination made at the late visit, has confirmed the opinions and predictions made on the occasions of the two former visits. The building, although much improved and enlarged from what was its condition in 1853, is now in 1863, greatly deficient in proper jail accommodations for that county.

Clinton county by the last State census had a population of 42,482—now probably it is about 50,000—being a border county, it is frequented by many vagrants from Canada, who become liable to arrest, also many of its labor population and lumbermen and miners, a character of labor involving in many cases, a mode of life not propitious for moral culture or virtuous conduct, which circumstances are good reasons why the county should provide more commodious and appropriate prison accommodations than what now exist.

At the visit, there were eight in confinement; six males—three Canadian, one Irish, one German and one native; two females—one Canadian, one Irish; five of the males single, one has a family. In addition to these criminal commitments, there were four held as deserters from the army, this class of inmates at times has been as high as twenty; average number for the year, ten; two of the six males committed as burglars, two for assault and battery, two for drunkenness; both of the females as prostitutes.

There is a cistern and aqueduct supply of water in the keeper's house adjoining the prison, which is plentifully afforded the prisoners for washing their persons and cleansing the night tubs. At this prison foreigners usually outnumber natives nearly as three to one; natives generally can read but few of the foreigners can. There is no regular provision for religious instruction; lately a young man sent by the Presbyterian church has visited the prisoners every Sunday.

An attempt was lately made by one of the female prisoners to fire the building at midnight. Fortunately the smoke was discovered by the keeper in time to arrest a general conflagration of the jail and the keeper's house.

The insecurity of the building and of the yard has afforded opportunities of escape under the present keeper, as likewise under most of his predecessors in office. The general appearance of the prison and the yard was perhaps as good as can be expected, considering the defective accommodations of the establishment, and the stinted appropriations allowed by the board of supervisors.

23. FRANKLIN COUNTY PRISON.

The prison of this county has twice before been visited and examined by the undersigned as a committee, in 1853 and 1854, and reports made thereupon. In that of the first visit, the following description is given: "It is a new building, situated in the village of Malone, 36 feet front by 50 feet in depth; constructed of superior sandstone; in fine architectural proportion; two stories high, with a cellar under the front half, and with a prison-yard attached. The front parts of the first and second stories are appropriated to the accommodation of the sheriff, who acts as jailor.

"The back part of the first floor contains six cells, opening into a commodious hall, running across the building, having windows at each end, affording ventilation from east to west. The cells are 8 feet by 5 feet in dimensions; ceilings high, but with no means of ventilation, excepting through the grating of the doors in connection with the hall. It is to be regretted that proper facilities for ventilation from the cells with the open air had not been provided in the plan of the building.

"The back part of the second story is divided by a hall, running lengthways of the building, having two large rooms on each side, safely constructed, for the detention of debtors and female prisoners. Each of these rooms contain a good sized window, sufficient for ventilation and light."

The undersigned concluded that report with the following remark, hoping it might stimulate other counties to some improvements of their jail-buildings; and he takes the liberty to repeat it now for the same purpose:

"The Franklin county prison in structure and style, with moderate increase of dimensions, and some modification of interior arrangements, would be a good model for county prisons throughout the State. The citizens of the county deserve much credit for their enterprise and taste in the erection of such a handsome and appropriate building."

That enterprise and taste seem latterly to have subsided, as on the late visit, the undersigned saw but few new improvements or accommodations. There is an absence of trees, of wood-shed, and many other domestic conveniences; the lack of which, the sheriff attributes to the reluctance on the part of the supervisors to make any extraordinary appropriation.

There were but three prisoners at the time of the visit—all Canadians—one, a man for grand larceny; the other two, females—both prostitutes, and quite youthful; one of them considered by the sheriff partially insane. The undersigned called on the justice who had committed her, and was informed that the commitment was made on complaint of her father, she being wholly beyond domestic or parental control. Your committee requested the justice to investigate the case, and if found to be one of insanity, to take measures to have her sent to the asylum for insane persons at Auburn. This is one of those pitiable objects of depravity often coming to the knowledge of those who visit prisons, of whom the community know and think but little. Painful as it is to notice such sad results of sin, it is however desirable that their existence should be brought to the knowledge of citizens, in the hope that such wretched members of the human family may more generally be recognized as objects for the efforts of Christian charity.

The highest number at any one time in prison during the charge of the present sheriff was 15. Average for the year about 5. At one period there was not one. Three-fourths of the number usually are foreigners.

The prison has a bountiful supply of aqueduct water, with proper conveniences for washing, and the care of night-tubs; candlelight till 9 o'clock; the health of prisoners good; no deaths since the present sheriff has been in office, who evidently performs his duties as jail-keeper with all proper consideration and care.

24. ST. LAWRENCE COUNTY PRISON.

Its prison is at Canton—has been twice before visited and inspected by the undersigned and reports made to this Association, in which the great defects and deficiencies of the old jail building were noticed. In the report of visit made December 8th, 1853, the following remarks were made:

"He found the grand jury in session, having under consideration the condition of the prison building. He inspected it in company with the foreman, and was invited to appear before that body and state his views, which invitation was gladly accepted, and a free expression of opinion made. On the same day the grand jury made a presentment to the court, noticing the defects and deficiencies of the existing building, and recommending that a 'new and improved jail building be erected.'"

The effect of this was the demolishing of the former jail, (a contracted old style wooden building,) and the erection in its stead of the present prison, which is built of brick 45 feet by 65 feet; two stories, containing 24 cells, 7 feet by 5 feet, eight of which are appropriated for females. The means for ventilation and for heating are not as perfect as might be, and the supply of water and washing facilities was found quite deficient. It also appeared that the security of the prisoners is not what it should be, as the keeper reported 5 escapes during his charge, three through the windows, and two from the yard; he also spoke of escapes made under former keepers. He is an officer under the sheriff, and allowed by the supervisors a salary of \$300 per annum as a turnkey.

There were 13 in prison at the visit; 10 males and 3 females, the males mostly committed for minor crimes. Of the females, one for infanticide, one a prostitute, the third for perjury, who had, since in prison, given birth to an infant.

The undersigned as he beheld the innocent babe nestling in the bosom of the guilty mother could not refrain from the wish that many who give their glad presence in the virtuous birth chambers should like him be called on to contrast such joyous occasions with such a sad birth place as then before him, not that he desired others should have their feelings tried as were his, but in the hope that the occasion would stimulate them in humane efforts among the depraved, and in charitable visits to the gloomy chambers of prisoners. It was a gratification to

your committee to learn that every proper medical and female attention had been given this wretched mother in her confinement, and that she and her infant were in a healthy and comfortable condition.

The average number of prisoners for the year is 15, at times as high as 30, and as low as 5; since the war deserters are frequently lodged there for a few days. Three-fourths of the prisoners are usually foreigners, most of them unable to read. Health of prisoners generally good—bill for medical attention less than \$10 for the last year.

The supervisors appear to have failed to keep up the laudable enterprise and liberal spirit under which the new buildings were erected; there is evidence that improvements, additions in domestic facilities, and repairs are needed; all which would be had if there was a deeper interest taken by the community, and more liberal appropriations made.

25. JEFFERSON COUNTY PRISON.

It is situated on an elevated site in the village of Watertown—a substantial stone building 40 feet by 60 in dimensions—has 16 cells in a block in the centre of the main building—distinct from these, one large room for females and one for debtors. The undersigned visited this prison on a former occasion and made a report of the same; in that report he had occasion to mention some needed improvements and additions, but little in that line has since been done. The keeper, sheriff of the county, as in most other other counties, speaks of the reluctance of the supervisors to listen to any suggestions, a compliance with which would involve any increase of appropriation.

The security of the prisoners is jeopardized by the facility of outside communication; the sheriff reports six such escapes in the last year, and two the year before; he is an intelligent man, and, in the opinion of the undersigned, well qualified for the charge of a prison, if properly encouraged by the community and sustained by the board of supervisors; in the absence of such aid, he and his successors cannot be expected to effect either the improvements or reformation desired.

At the visit there were ten in confinement; 5 males, of which 2 were for petit larceny, 1 for bigamy, 1 grand larceny, 1 drunk-

eness; 5 females, of which 1 for bigamy, 1 for stealing, and 3 prostitutes. The average number 15; largest 28.

The domestic concerns appeared to be in good order; there is an aqueduct supply of water; prison healthy. Three-fourths of the prisoners usually foreigners.

26. LEWIS COUNTY PRISON.

This prison is in the village of Martinsburgh—an old style wooden court-house; built in 1809; 50 ft. by 50 ft. in dimensions; two rooms on the ground floor serve for cells, each 12 feet by 15 feet, with a small iron-grated window, insufficient for light or ventilation; hot in summer, and cold in winter. This building, in all particulars, is insufficient for a jail, and altogether deficient in arrangements for proper prison discipline. The apartments used for cells are scarcely fit for stalls for cattle; in fact, the jail department of the building is of a character which will gainsay any amount of care or labor on the part of the keeper.

This county is almost entirely agricultural, with but about 30,000 inhabitants, and thus as yet but moderate accommodations have been required for prisoners. During the last year, but 31 commitments were made,—average number for the year not over 2—often without any;—still humane considerations and public policy demand much better prison accommodations than now exist. It is believed that such is the public sentiment of the county; and that the desired improvement and reformation would ere this have been made but for local jealousy existing between the villagers of Martinsburgh and Lowville—the latter desiring the removal of the court-house and jail to its locality.

27. OSWEGO COUNTY PRISON.

It is in the city of Oswego; was visited by the undersigned, but not particularly examined, as he understood the corresponding secretary of the Association had visited it a few days previous, and made the examination. It appears there was a misunderstanding on this head; he, like the undersigned, only visited, but did not examine. A cursory view of the whole establishment was made during the short visit of the undersigned, and a very favorable impression made of the care and skill of the sheriff in that department of his official duties.

There has lately been built an addition to the prison, for the purpose of a work-house, which is now in operation, with promise of beneficial results.

The undersigned regrets the misunderstanding which has prevented a full report of this prison, as he feels assured it would have been very satisfactory and interesting to the Association. This is a point where the county jail arrangements should be extended to the capacity and character of a District Penitentiary; such as exists in the adjoining county, in the city of Syracuse. Public opinion appears now to be moving in that direction; and it is desirable that action should early be had, either by the city or the county, to secure adjacent ground for the accommodation of additional buildings and yard room.

Oswego county has a large and increasing population; as is also the case with the city of Oswego. It being a border county, and the city one of the most prominent lake ports, in the nature of things, there will be required extensive and efficient means for prison detention and discipline.

GENERAL REMARKS.

Your committee trust that the foregoing will furnish such general information of the various prisons visited as will meet the purposes of the Association. The more particular inquiries indicated by the printed forms can be answered for most of the county jails by general answers received from the keepers, which are quite uniform, and as follows, viz.: No employment for prisoners.

Expenses.—A charge of 38 cents on receiving and discharging each prisoner; \$2.50 to \$3.00 per week for board and washing; some moderate charges allowed for extra supplies or services—such as new bedding clothes and whitewashing. In all the counties complaint is made of the stinted appropriations by the supervisors for jail purposes.

Health.—Almost uniformly reported good; the exceptions being from the excesses prior to committal; deaths scarce ever occur; medical attention provided at expense of the county.

Diet.—Plain and wholesome food, both vegetable and animal, described as such as common laborers usually have at their homes. Meals given in cells or halls, as the construction of the building may be—served in winter twice, in summer three times each day.

Cleanliness.—In this there is some difference, as is found in

ordinary domestic circles; some very careful and tidy; some rather careless, and some decidedly slovenly. In almost all cases there is the absence of a convenient and copious supply of water, and of sufficient facilities for washing.

Clothing.—For beds, woolen blankets or cotton quilts; usually changed with change of prisoners, and washed; no complaint of deficiency at the time of visit; how it may be in winter was not stated, but supposed to be sufficient.

Personal Apparel.—Such as the prisoners may have when received; if more is needed, in case friends do not supply, it is done at charge of county.

The Cells vary according to the character of the building—usually, if of modern structure, 7 feet by 5 feet in dimensions, and about eight feet in height; either banks or suspended slats, with straw beds; often two in a cell; care taken to keep free from vermin; but frequently introduced by new comers; white-wash two or three times each year; night tubs almost in every case for wants of nature.

Punishments.—Neither the cat, douche, or bolt-bath ever used; solitary confinement and chains, with bread and water diet, the modes of punishment when any are resorted to.

Library.—None, excepting bibles, which are supplied for each cell. (In the Onondaga penitentiary there is a good library, and books carefully supplied to every prisoner.) This is a serious deficiency, and should be remedied. The lack of occupation, either for body or mind, makes "an idle brain the devil's workshop," and produces an unfavorable nervous condition of the prisoner.

Classification.—No provision, except for the different sex. This is a serious defect, and many evils result from it to the prisoners, especially to the youthful.

Causes of Crime.—Intemperance is most prominent; next, lack of early religious instruction and association; next, unfortunate social relations. Intemperance, however, directly or indirectly, may be considered the cause of two-thirds of the crimes which come under judicial cognizance.

Nationality.—With the exception of strictly interior and agricultural counties, foreigners are greatly in excess of the natives as inmates of the jails, if we are to credit the statements made to the undersigned in all his visits, excepting Washington and Warren counties.

The keepers of all the county prisons are required by law to report to the Secretary of State, at each session of the court, in tabular form, all the statistics which this association need for its information relative to prisoners; and the undersigned would suggest that such information can most conveniently and accurately be obtained from that source.

It is very generally stated by the keepers of county jails that the supervisors are jealous of expenditures and stinted in their appropriations for prison purposes; that courts and grand juries (where the duty belongs) take but little cognizance of the condition of the jails or of the prisoners; and that there is almost an entire absence of interest on the part of the citizens of the county.

For the purpose of enlisting a more general interest with our citizens throughout the State with regard to prisoners and prison discipline, the undersigned would recommend the appointment of corresponding members, from among the inhabitants of every country town, where will be found men equally capable and ready as ourselves to act in promoting the objects for which this association was established; and likewise that the first judge of each county be "ex officio" a corresponding member.

As a special delinquency in the management of the county prisons, the undersigned will mention the frequent escape of prisoners, and desires to call particular attention to the same. From all the jails visited by this committee, with the exception of Oswego and Franklin counties, escapes have been effected during the administration of the present keepers; and they report that their predecessors have been equally unfortunate with themselves in that portion of their charge. It has also come under the personal knowledge of the undersigned that the jail of Westchester county was broke during the last summer, whereby five notorious and desperate burglars (who had infested for a long time portions of the county, and had been arrested at a large expense to some of the citizens), made their escape and are now at large to repeat their frightful crimes. This serious delinquency in prison discipline is the result of a culpable neglect and indifference on the part of judges, grand juries and supervisors in their official characters, and of individuals in their duty as citizens. The latter make no complaint, and the former take but little notice of this serious evil; and the community pay a heavy penalty in their anxiety and suffering from the prevalence of highway robbery, burglary and incendiarism.

One other serious and sorrowful delinquency in the management of most of our county prisons, is the entire absence of any provision for religious services, and the lack of books for moral improvement.

In conclusion your committee will take the liberty to repeat some remarks made in former reports.

In the visits and examinations lately made, with some exceptions, the undersigned has found no opportunity to alter the disparaging estimate heretofore expressed relative to the affairs of our county prisons; and it is his conviction that the cause of the great defects existing in our prison accommodations and discipline rest more with the citizens than with the individuals in charge. The keepers appear disposed to give that attention to the comfort of prisoners, and that regard to proper discipline prescribed by law; still, with the best efforts on their part, the inadequate arrangements of most of the prison buildings will prevent that discipline and welfare of prisoners which is contemplated in the statute.

There is much evil appertaining to the administration of our State and county prisons, resulting from the action of political parties. This remark is made with no special reference to those individuals at present in charge, but it is intended to apply to the established usage of making the appointment and tenure of official positions in our prisons dependent upon the success or defeat of a party.

No greater impediment to the improvement and efficiency of the police of prisons can occur. No more unfavorable influence against the profitable employment and desired reformation of prisoners can prevail, than frequent changes in the administrative power. The advantageous management of prisons, and the judicious control of convicts, require that judgment and skill which can only be acquired by practical experience, and when attained should be a distinct occupation or profession; and such qualification should be the standard by which an applicant for office in a prison should be judged, and not as now, by the certificate of services rendered to a party in power.

Another great evil appertaining to the affairs of our prisons is that the accommodations and appropriations provided by the public authorities embrace scarce anything beyond the necessities of life and secure confinement. When this has been done, supervisors, grand juries, and jail keepers consider they

have fully performed their duty, and thus it is that we find no effort for the reformation of prisoners; no attempts at the improvement of prison discipline; no provision for moral or religious instruction 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 the proper care and judicious management of prisons. If this duty was rightly appreciated by the public, in connection with sound civil policy, or justly appreciated by individuals in compliance with the dictates of humanity, or viewed by the christian community in the light of its religious responsibility, surely the old evils of the prison house would be abolished, and the present delinquency of our citizens in that portion of their public duties would be amended. As the matter now stands the undersigned regrets to say that the prevailing opinion with our community as to the duty of society in prison affairs seems simply to be, that offenders against the laws should be caught, condemned, imprisoned and punished, at the smallest possible expense.

Improvements in prison discipline, as connected with judicious State policy, and with considerations applicable to the plea of humanity, or the precepts of religion, do not appear to enter into the thoughts of most of our citizens. Surely this is not consistent with our claim for credit in all christian enterprise, nor with our boast of advancement in all civil policy.

All of which is respectfully submitted by your committee.

JAMES H. TITUS.

December 30th, 1863.

28. NIAGARA COUNTY PRISON.

The inspection of this prison was made on the 13th June, 1863. The building used for the purpose is of cut stone and quite substantial, it is based upon a rock, and its surroundings are good and healthful, being situated at some distance from the centre of the town on a broad avenue, and with the exception of the jailor's residence and sheriff's offices, no other building is in immediate proximity to it. Its dimensions are 70 by 40 feet. The floors, including those of the cells, are of stone flagging, the whole being completely fire proof.

The cells are 32 in number, in the centre of the building, opening upon two corridors arranged in two tiers, besides two

large rooms for women, one of which has two cells partitioned off from it, but so arranged as to permit all to be used in common by the female inmates.

The male cells are 7 feet high by 8 long, and 4½ wide, guarded by grated iron doors. The iron bunks are hinged against the wall on one side, while the outer side is supported by a rope at each end, which stretches obliquely upwards over the bed, and is fastened to the wall near the ceiling. This singularly faulty contrivance, as might be expected, furnishes facilities for suicide by means of these ropes, and they have, as I was informed, been used for that purpose, and yet they are retained.

In an upper back corner of each cell is an aperture 4 inches square, in the stone work, which is said to communicate with a shaft between the cells, reaching to the attic of the prison, intended for ventilation, the theory being that air entering through the grated door, will be drawn up through this aperture, and thus cause a continual renewal of the atmosphere of the cell. A condition precedent for the operation of this theory, is the termination of the upright shaft at its upper end, in the open air above the roof, a circumstance which, as I was informed, was entirely overlooked, as the terminations are only at the top of the upper tier of cells, in the closed garret. There is, of course, no possibility of a current of air through the separate shafts, and the consequence is that a very offensive odor pervades all the cells and the prison generally, which the official in charge stated that he had in vain endeavored to get rid of by extra efforts at cleanliness, the prison being scrubbed twice a week.

The male prison is heated by a large stove in each corridor, placed at one end, the pipes running the whole length of the corridors. The apartments for women are warmed by stoves also, one of which is a cooking stove, where they are allowed occasionally to make tea, and cook some other extras.

The yard of the prison is a space about 10 or 12 feet wide, and the whole length of the building, enclosed by a stone wall. In this is the privy vault, which is 23 feet long, 5 feet wide, and 8 feet deep, with no house over it, and covered only by long lids, which when raised, expose the whole length. There being no sufficient drainage to this vault, it has a very offensive presence, which pervades the premises, and is earnestly complained of by the sheriff, who has in vain endeavored to remedy the evil by partial drainage. Into this vault the tubs used in the cells are daily emptied.

The prison yard is said to afford great facilities for escape, which would appear to be the case, from the fact of 15 prisoners having escaped within the past two years, though it is alleged that some of these got away with the connivance of a former keeper. On account of the facility for reaching the top of the wall at one corner of the yard next the building, the adjoining window, one of the four by which the prison is lighted on this side, it has been found necessary to close permanently by iron shutters, whereby the interior of the prison is deprived on that side of one-fourth of its light and air.

The only punishment enforced is the dungeon, enclosed with a tight iron door, besides the grated door.

The only water used for washing is gathered from the clouds in a cistern under the wash room, whence it is drawn by buckets, there being no pump. Drinking water is obtained from a well. There are no means of bathing. The bedding is changed once in two months. The prisoners shave themselves as occasion may require. They have no employment except scrubbing and sawing wood. They are fed twice a day, at 8 A. M., and 3½ P. M., the breakfast consisting of bread and salt pork usually, with fresh beef and soup twice a week. The dinner is the same.

At the time of the visit the prison contained 16 males and 9 females, which is about the usual number.

The prison contains no library, and there is no provision for religious or secular instruction of any kind. With the exception of the trifling occupations alluded to, scrubbing and splitting wood, total idleness is the rule of this institution, and as no restrictions are placed on conversation, unless it becomes boisterous, and not always then, the facilities for mutual corruption, with the inmates, are unlimited.

I found confined there a man and wife, on the charge of stealing, who, without a trial, had been incarcerated six months, and they had recently been informed that their case could not be reached in court under three months more, when, if brought to trial, she declared her ability to prove their innocence.

The friends of prisoners are allowed to visit them as may be necessary. Correspondence is allowed, under the keeper's supervision, stationery and postage stamps being furnished them. The average length of sentence is from 10 to 30 days; some are for two to six months.

The sheriff of the county, Mr. George Swain, accompanied me in the examination a part of the time, freely responding to every

enquiry and pointing out many defects; and Mr. A. H. Cleaveland, the keeper, as willingly gave his time and attention to answer my queries.

JNO. H. GRISCOM.

29. MONROE COUNTY PRISON.

This building stands on a sort of an island, its walls being laved on two sides by water, in the city of Rochester. It is chiefly occupied as a house of detention, or for short sentences. The number of inmates at the time of examination, June 15, 1863, was 30, of whom two were women. During the year prior to October 1, 1862, the number of admissions was 348, and of discharges, 341. No escapes had occurred in two years before the visit, though some attempts have been made by cutting the iron bars of the doors and windows.

The prisoners have two meals a day—in the morning, bean soup; twice a week corned beef; in the evening, mush and molasses, or milk.

Of cells, there are 6 for females, 7 feet by 8 and 10 feet high; 10 for debtors, 8 feet by 15, and 8 feet high; 49 for male prisoners, 4 feet by 8, and 8 feet high, besides three dungeons. The doors are in some cases iron grating; in other parts of the establishment, of wood. One room in the prison is called the "hangman's room," in which capital offences are expiated. The cord, after passing over a pulley in the ceiling, descends through a hole in the floor to the room below, where the weight is attached, which, at a signal from above, is suddenly dropped, and the body is as suddenly jerked upwards. The sufferer sees no other preparation for his death than is contained in the room in which he sits upon a chair, the executioner, or at least he who causes the weight to fall, being in the room below. A weight of 172 pounds is used.

One room of the prison is used as a privy, in this wise: In the centre of the floor is a large iron grating, which is immediately over the river. Into this room the night-tubs are brought and emptied through this grating into the water below. A most foul and offensive odor pervaded this portion of the premises, partly attributable, probably, to the general use of the apartment, but principally at the time of the visit, to the presence of six tubs, which, with their contents, had been standing there several hours unattended to. There did not appear to be any other means of obtaining water for cleansing these vessels than drawing it from the river, two stories below.

No pretensions whatever are made to ventilate the premises, except by the windows, which are guarded by heavy gratings.

The premises were altogether in a most filthy condition. The prisoners wash their persons at a pump in the hall. The bedding is said to be changed once a month.

Four or five bibles constitute the entire literary and religious library; service is held by the chaplain every Sunday.

The above meagre report constitutes all the information the undersigned could obtain of this institution, in consequence partly of the circumstance of the very recent death of the principal keeper, whose burial occurred the day before the visit. The affairs of the prison seemed to be in great confusion, and there did not appear to be any one who could give the information desired. The sheriff of the county was present part of the time, and though willing to furnish any desired particulars, his apparent want of familiarity with the details of the institution, rendered his readiness to oblige unavailing. The assistant keeper was also unable to render the information needed. Much allowance may therefore very properly be made for the present depraved appearance of the prison, though its general style of structure indicates a great deficiency of those appliances for salubrity, safety, and reformation, which indicate in this department of government, an advanced civilization.

JOHN H. GRISCOM.

30. ORLEANS COUNTY PRISON.

The situation of this prison is most salubrious, on the skirt of the beautiful town of Albion, the moral character of which well compares with its physical, if we may receive as a criterion the statement of the sheriff on being-informed of the object of my interview with him, viz.: that "it might almost be said we have a jail to let." There were, in fact, but two inmates, both males, committed for trivial offences, and apparently quite contented to remain there, doing such small jobs about the stable and premises as might be found for them. Besides these, the Monroe county penitentiary has but three prisoners from Orleans county, according to the last report.

The building appeared to be in excellent order, well kept, in immediate proximity to the sheriff's residence and the court house, though from the few prisoners under charge, it is not much used. It was gratifying to be informed that the private library

of the sheriff, of well selected books, was placed at the disposal of the inmates, under proper regulations.

No religious services are held in the jail, and no christian people ever come there to converse with, and distribute tracts to, the prisoners. On a subsequent visit to this place, the corresponding secretary called upon a ministerial friend and laid before him this deficiency, and obtained his promise to visit the jail, and get others to do so, to see what could be done for the religious instruction and moral reformation of the prisoners; the smallness of the number being no reason against, but rather in favor of, such a work, and its greater possibility of success, from the absence of those contaminating influences to be found in more crowded institutions, being more apparent.

Respectfully submitted,

JNO. H. GRISCOM.

31. SCHUYLER COUNTY PRISON.

At the time of the inspection of this prison, June 20th, 1863, by the undersigned, it was, like the similar institution of Orleans county, almost without inmates, there being but two, and these for trivial complaints, one being a semi-idiot, confined for a few days for vagrancy, the other a ten day subject, for intoxication. Schuyler being a new county, and its capital, Havana, having recently risen to that rank; its institutions are of recent origin, and consequently have had the advantage of modern observation in their erection. The present jail was erected about eight years since, but in consequence of a dispute as to the title of the ground, it is yet incomplete, one tier of cells only being finished, the space for a second tier of eight cells existing above the present one. It is in a good situation in the village, about 50 by 60 feet in dimensions, and is well built of brick, with stone floors, &c., inside. The latter, however, were not embraced in the original construction; but seven escapes having occurred in November and December last, by digging through the floors into the cellar below, floors of stone, 10 inches thick, were substituted.

The cells now finished are eight in number, each eight feet by four, and nine feet high, and are guarded by iron grated doors. The only attempt at ventilation appears to have been by three auger sized holes in the stone work of each cell.

The supply of water is from a well, whence it is drawn by a pump, and a rain water cistern.

The whole number of prisoners, received since January 1, was 30, of whom two were females. They have no other occupation than splitting wood in the yard. They are boarded by the sheriff, the county allowing \$2.50 for each one per week. They are furnished with three meals a day; for breakfast, meat, potatoes and bread, with coffee and tea occasionally, and the same for dinner, with mush and milk for supper; all the meals being taken, in common, in the hall.

The halls are warmed by wood stoves, one on each side the range of cells.

There is said to be one bible in the prison, the gift of the former sheriff, which constitutes the whole library of the institution.

Of the 30 prisoners admitted since January 1st, six only are stated to have been foreigners.

Both the inmates at the time of the visit were at work at the wood pile in the yard, the only occupation afforded them; but during my inspection one of them eluded the keeper and made his escape from the premises, which in his case seemed to me a justifiable procedure, as he was evidently a much more fitting subject for the lunatic department of an alms house than a prison.

The general appearance of the prison was creditable for cleanliness and order.

No clothing is supplied to the prisoners, but in one case of great destitution a shirt and pantaloons were given by the sheriff from his private stock, for which he expected to be refunded by the county. By the last report of the Monroe county penitentiary, Schuyler furnishes but two inmates of that institution.

JNO. H. GRISCOM, *Committee.*

32. ERIE COUNTY PRISON.

The Erie county jail was examined by the undersigned on June 11th, 1863. It is a stone building erected about 30 years ago, partaking of the style of that day, and from age and imperfect structure has become considerably dilapidated. It contains 40 single cells, in two tiers, in a block in the centre of the house, besides four debtors' rooms, five female apartments and one dungeon. The interior is principally of wood, and the cells are lathed and plastered; on which account it is deemed very imperfect as to security. One escape, however, is all that has occurred during the last eighteen months, which was by digging through

the outer wall, by a prisoner who probably had the privilege of the yard.

The dimensions of the prison are about 66 by 40 feet, inclusive of the portion set apart as an office. The location is near the centre of the city, on the same square as and in the rear of the court house. The whole lot occupied by these two buildings is a pretty steep hill, at the base of which the prison is situated, a position which necessarily renders it damp and insalubrious.

The whole number of prisoners at the time of the visit was 54, but there have been as many as 87 at one time, rendering it necessary to duplicate them in the cells to a considerable extent. The average number confined is 55. From January 1 to the present date, the whole number received was 714, of whom 35 were colored and 149 were females. The total admitted during the past nine months was 2,160. No employment is furnished except keeping the halls and cells clean. No deaths have occurred since the present sheriff came into office in January, 1862.

They have three meals a day. In the morning, bean soup and bread, at 7 a. m. For dinner, at noon, boiled fresh beef and bread, but no vegetables, and at 6 p. m. mush and molasses, the meals being all taken in the cells. The cost of food in 1861 was \$3,521. A pump in the yard affords the only supply of water, which is consequently very scanty for all purposes but drinking and cooking. The bedding, which consists only of blankets, on the bare sacking of an iron bedstead, is changed once in three months. The prisoners are shaved and have their hair cut at their own option. They are supplied with no extra clothing and wear only their own.

The cells are 6 feet long by 2½ wide, and are wholly destitute of ventilation. Night tubs are used in the cells and emptied twice a day. Vermin are abundant.

Bibles are freely supplied by the county to those who desire them, but they soon become destroyed.

No punishments are inflicted except in extreme cases, and then only by irons or the dungeon.

There are no books in the prison beyond the Bibles mentioned, nor is there any provision for secular teaching, nor any religious instruction.

No money is given the prisoners on their discharge, but they are allowed to use their own for extra food, &c.

On the whole, the Erie county jail is an institution but little creditable to the authorities of the county, and its entire recon-

struction and enlargement, in a manner and position adapted to the wants of the large and growing city from which it chiefly receives its inmates, and in accordance with the improvements in sanitary and reformatory arrangements of modern days, are demanded by decency, humanity and justice.

It is due to the sheriff, Robert H. Best, to say, that he fully appreciates the manifold defects of the prison, and is anxious and earnestly endeavoring to induce the county authorities to erect a new building better adapted to the necessities of the county and the claims of sanitary law.

JNO. H. GRISCOM.

33. KINGS COUNTY PRISON.

This jail in the city of Brooklyn was visited by the undersigned in November.

It adjoins the hospital grounds on one side, and on the other is Willoughby street. It consists of the main building, of brown stone, on Raymond street, which is 125 feet front by 55 feet in depth, and two wings; one of granite, 135 feet long by 50 feet in width, containing 42 cells for the males, and one of brick 135 feet by 25 feet, containing 54 cells for the women.

It is built on high ground, and the surroundings seem favorable to health. There are no buildings immediately contiguous, and belonging to the prison is a good yard, which, however, is not used by the inmates.

The general health of the institution is represented as good and there have been but two deaths the past year, both of delirium tremens. As, however, prisoners are confined here but for short terms, no safe conclusion can be drawn from this fact as to the healthiness of the locality or proper construction of the building. A medical attendant is employed by the year. At the time of our visit, there were of venereal cases, two; of scrofula, one; and of disease of the heart, one.

In the matter of ventilation, the building is extremely faulty, particularly in the women's cells, which are large enough, 11 feet by 6 feet 6 inches, but very dark and ventilated only by the door. The cells in the male prison are seven feet by ten, lighted and ventilated by small barred windows, and when the aperture in the door is open, they may be tolerably well ventilated, but if closed for any time, as at night, on being opened the rush of

bad air is very offensive. In the basement of the male prison are 14 cells and in that of the female prison 20, which cannot be used in cold weather, because it is impossible to warm them by the present arrangement; the pipes which pass through the cells for this purpose being near the ceiling instead of being near the floor. This makes it necessary to abandon them and crowd the prisoners from three to five in each cell. Boys and old criminals are thus associated together, a practice which should be stopped with as little delay as possible. The women were not separated at all, but were together in the halls, the cell doors being open in the day time. Sufficient drainage appeared to be secured by the soil pipes, passing through the cells.

The cells are more or less infested by vermin, and no effort is made to cleanse the prisoners when brought there, on the ground that they are there for such short terms, which however does not seem to the undersigned a sufficient reason. All the beds seemed very dirty, being in fact only filthy sacks of straw.

We were told that fresh straw is provided once in three weeks, and new sacks when necessary. No regulation exists as to shaving and hair cutting, which is done by the prisoners when they please only.

Wash basins are provided in the cells, but no bathing facilities. In the above matters affecting the cleanliness and comfort of the prisoners, there is great room for improvement.

At the time of our examination there were confined 160 prisoners, of whom 68 were males, and 92 females. The average number during the year was 200. Whole number of commitments for the year appears to have been 7,320, of which 727 were natives and 6,593 foreigners. Intoxication and vagrancy were the chief causes of commitment, there being 4,219 cases of the former, and 1,080 of the latter. The appalling results of intemperance in filling our prisons call loudly for legislative interference.

No labor is performed by the prisoners, but that of scrubbing and whitewashing.

No clothing is furnished except in extreme cases. No punishments are inflicted. Visits are permitted once a week. The prisoners waiting examination are prohibited from sending letters. Others can correspond without interference except in special cases.

There is no library in the prison, and the only religious in-

struction is furnished by the missionary visitor every Sabbath, who talks with the prisoners and provides bibles and tracts for their use when they desire it. There is no suitable room in the building where they can be conveniently or safely congregated for divine service, as at Flatbush penitentiary. No record is kept of the previous moral culture or habits of the prisoners.

The food furnished to the prisoners is good and abundant. Meals are eaten in their cells three times a day; for breakfast and supper they have bread and coffee; for dinner three days in the week soup and bread, and on three days fresh or salt meat and potatoes, and on Friday salt fish.

In conclusion the committee report that they consider the prison a very unsuitable structure, and that it should be replaced by a new one, built with some regard to ventilation, cleanliness, health and morals, with cells enough to prevent crowding, and which should afford a chapel, where prisoners might be assembled under proper regulations for instruction, and a yard, where occasional out-door exercise should be permitted and enforced.

All which is respectfully submitted.

E. RICHARDSON,

H. K. BULL,

Committee.

New York, December 22, 1863.

34. CORTLANDT COUNTY PRISON.

The undersigned, a committee of the prison Association of New York, visited and examined the jail of Cortlandt county, situated in the town of Courtlandt, on the 2d day of September, 1863, and report the following as the result of said examination. Sheriff Frederick Ives has charge, and resides in the jail.

The building is two years old, built of solid granite, and very substantial, two stories high. The second story has six large rooms, hall in the centre, and petitions of three inch plank; height of ceiling ten feet; the cells have a vertical flue for ventilation six and twelve inches, passing up through the roof, and a well-constructed cap for drawing off the foul air. Water closets are used instead of night tubs; a cistern was built in the second story, but the winters were so cold it froze up and burst, and is not-used now.

Whole number of prisoners during the year, thirty-eight; present number, four; average, six. The sheriff charges two dol-

lars per week for board, including washing. Medical attendance does not cost over five dollars during the year; the food consists of bread, meat, potatoes, and coffee once a day. If clothing is needed, it is furnished, and bedding also; their clothes washed and bedding changed once a week; the cells appear to be very clean and sweet, one prisoner in each cell; iron bedsteads are used, six feet nine inches long, and two feet two wide. The jail is very healthy, no sickness whatever since it has been built; the prisoners take their meals in the hall at a common table; they have three meals a day. The water is brought in pails, sufficient in quantity; large washbasins are used for washing themselves; they shave once a week, and hair cut when required. The jail is lighted by gas and warmed by coal stoves, and ventilated by vertical flues of modern style; they are furnished with bibles. Water closets are used. No punishment used except putting them in the cells. There is no library, but the sheriff furnishes them with books when they will read.

The prisoners are kept separate according to the grade of crime. They are permitted to write to their friends, and materials are furnished them, but their correspondence is read by the sheriff. Occasionally a minister calls and reads and prays with them. An insane prisoner was sane when committed, but after confinement of several months he became insane. He was taken to the county house.

Causes of crime—1st. Intemperance; 2d. Sabbath-breaking; 3d. Licentiousness.

Average length of sentence, thirty days. Three escaped, two of them were caught and brought back, the other was not caught. They are permitted to buy extras, except liquor.

ABRAHAM DENIKE, *Com'e.*

35. PUTNAM COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Putnam county, situated in the town of Carmel, on the 20th day of July, 1863, and reports the following as the result of said examination.

The building stands in the rear of the county court house, in the village of Carmel, and is connected therewith. It is constructed of granite, and is about forty feet square. The sheriff resides in the court house, and has charge of the jail.

The cells are eight in number, arranged in an octagon form in the middle of the room, and are of boiler iron. In each cell is a water closet.

The building is well ventilated, there being windows on all sides.

The only entrance to the jail is through the court house by a single door.

The undersigned is of the opinion that some provision ought to be made for the moral and religious instruction of the prisoners. A collection of books, tracts, &c., would be very serviceable. At present, few if any reformatory measures are adopted.

The commitments for the year were as follows:

Offence.	Males.	Females.
Assault and battery.....	3	1
Bastardy.....	2	0
Manslaughter.....	1	0
Petit larceny.....	2	2
Vagrancy.....	1	1
Want of sureties.....	2	0
Total.....	11	4
Grand total.....	15	4

There was only one prisoner in the jail at the time of making my examination.

The prisoners have no employment, except occasionally the cleaning of the prison and cells.

The whole annual expense of the prison is about \$380.

Medicines about \$4; medical attendance \$10; repairs \$1; rations or board \$300; bedding \$10; whitewashing \$5; fuel \$50.

The washing and cleaning are done by the prisoners.

The general condition of the prison, as to health, is good, and has been so during the year, only one prisoner having been sick. No death.

The prisoners have three meals per day, furnished by the sheriff from his private table; meats, fresh and salt; vegetables, wheat bread, coffee and tea, &c. The number of prisoners is so small that no special provision is made for them.

There is an abundance of rain water from the roof, collected in a tank in the second story of the building, and conveyed by pipes down into the jail. The males wash in a large basin in the hall. Water is taken to the females.

Every prisoner has clean bedding on entering. It is changed about once a fortnight.

The prisoners shave as often as they please, generally once or twice a week.

Clothing is seldom provided by the county. The prisoners usually wear the clothes in which they were committed. Occasionally the sheriff purchases a few clothes, such as shirts, shoes, &c.

No punishment is inflicted, except close confinement in cells.

There is no library and no provision for instruction.

There are eight cells, each about eight feet long, four feet wide in front, and two feet wide in the back part.

The beds or bunks are six feet long. The cells are lighted by a grating in the door; from each cell is a ventilator extending to the roof of the building.

There are two bibles in the prison, one for the males, another for the female department; no slates. No more than one occupant is ever assigned to a cell. The cells are kept clean, sweet, and free from vermin.

There is a water closet at the end of each cell, kept in good order, with full supply of water.

I could obtain no information as to the "domestic relationship" of the prisoners, except that four of them were married, and the rest single. Three out of the four had children living.

As far as I can learn, none of the prisoners had any religious education, or were members of Sunday schools; they were generally of immoral character, addicted to Sabbath breaking and tavern haunting; and they were all more or less of intemperate habits.

Five male prisoners and one female were Americans by birth. Five males and three females were foreigners; all of them Irish. There is no classification.

All proper persons who apply to the sheriff, are permitted to visit the prisoners, he accompanying them. The prisoners are allowed to interchange letters with their friends, the sheriff reserving to himself the right of reading them whenever he deems it necessary. But few letters are written.

The prison has no regular chaplain. Persons are permitted to visit the prison for the purpose of giving religious instruction, but very few avail themselves of this privilege. There are Bibles in the prison for the use of the prisoners, and occasionally tracts are left there for distribution.

No prisoners afflicted with insanity have been confined here during the past year.

Nearly all the crimes have arisen from intemperance; some from general licentiousness.

No money is given to prisoners on their discharge. Prisoners are allowed to converse among themselves, both in the presence and absence of their keepers.

The prisoner who was convicted of manslaughter was sent to the Sing Sing prison for two years. All the other prisoners have been sentenced to confinement in the county prison for from thirty to ninety days. The average length of sentences would be about sixty days.

One prisoner has escaped during the year and has not yet been retaken. Prisoners are not allowed to work.

No application has been made for extras in food, drink, &c. The sheriff would allow them before conviction; after conviction and while the prisoners are undergoing their punishment, extras would be refused.

All which is respectfully submitted.

A. S. VAN DUZER.

36. WESTCHESTER COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Westchester county, situated in the town of White Plains, on the 24th day of September, 1863, and reports the following as the result of said examination.

The jail is situated about forty feet in the rear of the court house, which is an elegant and substantial building. It is connected with the court house by a covered iron bridge from the second story, so that prisoners may be conducted privately to and from the court room at the time of trial. Both the buildings named are of granite. The jail is 68 feet long and 50 feet wide. It has 36 cells in three separate stories, 12 in each story. They are built of brick and are situated in the middle of the building, with a hall of about eight feet wide running around them. At first sight the building appears perfectly secure, but it has been found that the doors of the cells are of too light material, and steps have been taken recently to have extra doors put on 16 of the cells. There are no facilities for communicating

with the outside world, save the single entrance door. The whole building is occupied for jail purposes. In the basement there is a large kitchen, where the cooking is done for the prisoners. There is one keeper in the jail, subordinate to the county sheriff.

The female department is in the upper tier of cells. In the opinion of the examiner, it ought to be kept entirely separate from the male department, which it is not. The male and female prisoners can converse on the corridors from one tier to another. The one class can hear everything which is said by the other, even in the ordinary tone of voice. This is one of the most objectionable features in this jail, and demands speedy remedy.

The examiner would also suggest that hospital accommodations be provided for the sick prisoners. At present they are confined to their cells, which are hardly adapted to invalids, besides exposing the other prisoners to danger.

The examiner would also recommend that there should be a jail yard in connection with the building, into which the prisoners may be turned for an hour or two every day. It would benefit their health.

Conveniences for bathing are also greatly needed, especially in the case of prisoners newly committed, whose condition is described as sometimes positively loathsome.

It is proper to add that the jail itself, including the culinary department, is kept clean, neat, and in good order, and that credit is due to the sheriff for his efforts in these respects.

The commitments for the year were :

Offences.	Males.	Females.
Abandonment	1	1
Arson	2	0
Assault and battery	28	13
Breach of the peace	6	4
Bigamy	1	0
Burglary	16	0
Contempt of court	1	0
Disorderly conduct	9	7
False pretences	1	0
Grand larceny	10	2
Habitual drunkenness	17	13
Murder	3	1
Malicious mischief	3	0

Offence.	Males.	Females.
Perjury	1	2
Petit larceny	32	6
Pickpockets	3	0
Rape	3	0
Trespass	2	0
Vagrancy	8	6
Violation of liquor laws	3	0
Want of sureties	11	1
Total	161	56

At the time of making the examination there are forty-nine (49) prisoners. The average number during the past year would be about forty. The whole number during that period has been 217. The prisoners do no work.

The sheriff receives from the county board of supervisors two dollars and fifty cents per week for keeping each prisoner, which covers the expenses of rations or board, washing, cleaning and the wages of the keeper.

The county pays to the regular physician an annual salary of one hundred and fifty dollars. The county board pays for the medicines, clothing, and bedding—also for repairs, and lime for whitewashing, and heating the jail.

The general condition as to health is good. There are no protracted cases of sickness. One death has occurred during the year—that of a colored man—from voluntary starvation.

A physician (Dr. Prime, of White Plains,) is appointed by the board of supervisors, whose duty it is to visit the jail twice a week and as much oftener as is necessary.

The prisoners have three meals per day, which are taken in their cells. In the morning they have bread, molasses and tea; for dinner, good fresh beef, with potatoes and bread. The beef is usually boiled, and they also have soup. Occasionally they have salt beef, or fish. For supper, they have mush and molasses.

They always receive enough to satisfy their appetite. The bread is made from the best of rye flour from the mills in the vicinity.

The supply of water in the prison is abundant—from a well and cistern, forced by a pump into two large tanks, in the attic,

Thus each cell is supplied with water for closets. A pail of water is carried to each cell every morning for washing. There are no means of bathing.

The bedding is changed once a week and in some cases oftener. The prisoners shave themselves—there is usually some one prisoner who acts as barber.

No clothing is furnished by the county, except in extreme cases, where prisoners really need it, which case does not often occur. The prisoners do not change their clothing much; their shirts are washed once a week, usually by some female prisoner.

There are 36 cells, varying in size, generally about 12 feet long and 8 feet wide. They are built of brick and cement, and are arranged in tiers, or 3 stories, in the middle of the building. The beds, or bunks, are about seven feet long. There is a ventilator in each cell, connected with the roof. There is one Bible in each cell, but no slates. Usually, only one occupant is assigned to a cell, but when the jail is over-crowded, there are two. There have been as many as 72 prisoners in the jail at one time. The cells are kept clean and sweet, and free from vermin. There is a water closet in each cell.

The population of the county is augmenting so rapidly that crime is also on the increase. It is believed that a larger jail will soon be required. There are no punishments employed in this prison. There is a small collection of books, under the care of the sheriff, from which the prisoners are supplied, whenever they request it. There is no provision made for daily instruction. Very few of the prisoners avail themselves of this library. The opinion of the sheriff is, that about 80 per cent. of the prisoners received in this jail have been of intemperate habits, which are the cause of their crimes. Very few (perhaps not one in a hundred,) have received a religious education. Of the males, 73 were natives, and 88 foreigners. Of the females, 9 were natives, and 45 foreigners. There is no classification of the prisoners.

Persons generally are permitted to visit the prisoners—no one prohibited,—always under the direction of the sheriff or jailor. In certain cases, visitors are searched before entering the prison. The prisoners are permitted to interchange letters with their friends, subject to the examination of the sheriff. They use this latter privilege pretty extensively. The prison has no regular chaplain, but services are held there once in two weeks, on Sunday, by the Rev. Mr. Rumney, the Episcopal clergyman at White

Plains, and occasionally by the society of Friends. Very few, if any, persons visit the prison for purposes of religious instruction. I note this fact as not very creditable to the religious community in this vicinity. There are Bibles in all the cells. There are a few religious books in the small collection kept by the sheriff. Tracts are distributed occasionally by the Episcopal clergyman.

There is one prisoner now in the prison thought to be laboring under insanity. She was in that condition when committed. No special provision is made for her care. The sheriff is somewhat doubtful whether the prisoner is really insane. There has been no other case during the past year.

Money is rarely if ever given to a prisoner on his discharge. Prisoners are allowed to converse and mingle with the rest during the day; they are all put into the cells at night. Some desperate prisoners are confined day and night. The female prisoners are kept exclusively in the third tier of cells, separated, night and day, from the male. Three prisoners have escaped during the year. Prisoners are allowed to obtain extras with their own money.

All of which is respectfully submitted.

A. S. VAN DUZER, *Chairman.*

37. SARATOGA COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Saratoga county, situated in the town of Ballston, on the 25th day of August, 1863, and reports the following as the result of said examination.

The jail is built of brick, located on high ground, opposite a church, and is 50 feet or more from any building; location healthy; size about 50 feet by 60; eight regular cells, three of them 12 feet square; five 10 feet square. Windows of cells open on prison yard; grating three thicknesses; communications from outside are difficult, yet possible. In one cell there were one black man, one soldier, one other man and a boy; in another, four men and a boy; in another three boys; in another three women. Day of visit was very rainy, and the cells were very damp. They are made of stone, whitewashed; wooden floors. Building used as court house, jail and jailor's residence. The whole building is a fair specimen of a country court house and jail. No attention to ventilation of cells except by open windows.

Everything looked as clean as could be expected, considering the size of cells and number of prisoners confined in each.

There were 22 prisoners at the time of making the examination; three women, five boys, four colored men, and ten white men. No work, except that inmates wash their own clothes and saw wood.

Average expense about \$1,200 a year. Food about \$600; doctor, \$40; balance on salary of jailor and incidental expenses.

There were three deaths during past year, one of which was suicide by hanging; the other two the effects of intemperance; one a boy, from delirium tremens. Prison generally healthy; a number of inmates the past year sick with venereal diseases; no disease contracted in prison. The suicide was a lunatic; cause of lunacy unknown. He had been discharged from asylum, and becoming violent was sent to jail. The jail has a physician hired by the county, \$40 a year.

For breakfast, rye and Indian bread, one pound to each prisoner, and boiled beef or pork, about one-half pound to each; rye coffee, a quart to each, and five or six potatoes.

Dinner at 3. Beef or bean soup, and baked pork and beans; or mush and milk, and mush and molasses. A change is made from time to time. A quart of soup or milk at a time. No difference in season, except milk in summer and not in winter. The other things are changed from time to time, at the discretion of the jailor. No vegetables, except in soup. Prisoners eat in cells. No supper.

Pump in prison, furnishes from the well all the water used or needed. The pump room is set apart for washing. Prisoners may bathe in the tub, which is large enough. They have washing pails in cells. Bedding consists of straw mattress and quilts, which are not often washed. Clothing is only furnished when prisoners are completely destitute, and then only what is absolutely necessary.

There are eight cells, five of them 10 feet square, and three, 12 feet, warmed by stoves in which wood is burned. No ventilation, except by open windows. Bibles supplied. No slates. Several prisoners in each cell. Cells tolerably clean—whitewashed twice a year—usually clear of vermin. Night tubs washed twice in 24 hours.

No punishments, except that, when very noisy, prisoners are put in a dark room, without food, until they are penitent. Occa-

sionally, a prisoner is chained to the floor. All punishment is in the discretion of the jailor.

There is no library in the jail.

From January, 1863, 85 persons were committed for intoxication; and most of the inmates are of intemperate habits. Since January 1st, 107 Americans, 53 Irish, one Canadian, one Scotchman, and one Frenchman, have been confined in the prison. Any one may visit in company with the jailor. Prisoners may write letters, under inspection of jailor. They avail themselves of this privilege to a great extent. No chaplain is attached to the jail. It is very seldom that any clergyman visits it. Although directly opposite a church, the clergyman of the said church never visits the prisoners. No person visits them for humane or pious purposes. They have Bibles, but no other books.

No insane prisoner was in the jail at the time of my visit. No special provision for insane people. Intemperance is the almost universal cause of the crimes for which persons are committed here.

JOHN T. HOFFMAN, *Committee*.

38. CHENANGO COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Chenango county, situated in the town of Norwich, on the 1st day of September, 1863, and reports the following as the result of said examination:

This prison has been built thirty-three years, and is connected with the residence of the sheriff. It stands about fifty feet from the court house on one side and within four feet of the clerk's office on the other. It is built of stone, with the one idea of confining men, and with but little regard to the laws of animal life. Although the prison appeared clean enough, the atmosphere, when I entered, was intolerable, for the want of proper ventilation.

The following commitments have been made during the past year:

Offence.	Males.	Females.
Burglary.....	5	
Grand larceny.....	4	
Arson.....	1	

Offence.	Males.	Females.
Assault with intent to kill.....	1	
Perjury.....	1	
Petit larceny.....	14	4
Seduction.....	1	
Disorderly conduct.....	3	3
Drunkenness.....	30	
For want of bail to keep the peace.....	7	2
Assault and battery.....	10	
Violation of the excise laws.....	3	
Execution against the body.....	5	
Desertion from the army.....	16	
Total.....	101	9

Four prisoners, three men, one woman, also three deserters, temporarily committed, were in jail at the time of my visit. The largest number at any one time, was 12; the average number, 8.

Many are put in for one night and discharged in the morning, or pay their fine. Drunkenness increases the total seven-eighths.

There is no proper statistical record kept. The prisoners do no work.

The prisoners are kept by contract; 36 cents per day, and 6 cents a piece for washing clothes and bed clothes. The physician receives \$25 a year and furnishes his medicines.

The prison is whitewashed once a month, but even this the prisoners are not required to do. Clothing and bed clothes are washed weekly.

The health of the prisoners is excellent. The doctor called but once in 1862.

Meals are served in the hall three times a day; wheat bread, meat and potatoes twice a day, and mush and milk for supper.

Water is supplied from a pump by pails. They have wash-bowls, towels, soap, &c. No means for bathing. Bedding changed every week. They shave and have their hair cut when required.

If a prisoner comes in scant of clothing, the sheriff provides for him what is required, and charges to the county.

There are ten cells, eight feet six inches long, four feet six inches wide, seven feet nine inches high. Straw beds on iron

frames six feet long, two feet six inches wide, two feet high. Prison poorly lighted and worse ventilated.

The cells are provided with Bibles, and when prisoners desire other books, the sheriff furnishes them, and newspapers also.

Two occupants are assigned to each cell. They appear to be clean and free from vermin. Night tubs are used, and cleaned daily.

The only punishment is locking the prisoners in their cells. Kindness is the power used to keep order in the prison, and generally is all that is required.

There is no library, no chaplain, no instruction, and no visitation from the community for the good of either soul or body.

The prisoners are provided with Bibles.

Seven-eighths of the commitments are caused, directly or indirectly, by intemperance.

One prisoner escaped but was retaken.

STEPHEN CUTTER, *Committee.*

39. MADISON COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Madison county, situated in the town of Morrisville, on the first day of September, 1863, and reports the following as the result of said examination:

This prison is a frame building, has been built 45 years, and is pleasantly located near the court house. Being an old stone structure, it is ill adapted to the wants of the present day.

No prisoners have escaped, owing, I think, to the watchfulness of the sheriff, rather than to the security of the building.

The prison appeared to be clean and in good condition, considering the means they have for the accommodation of the inmates. Ventilation very bad.

There were 21 prisoners, 11 males and 10 females, at the time of my visit. The females are nearly all prostitutes.

This county has a larger number of prisoners than any county I visited, owing to the canal and railroad passing through it.

Whole number for the year.....	110
Largest number.....	21
Smallest number.....	12

The commitments for the year have been as follows:

Offenses.	Males.	Females.
Arson	1	0
Burglary	6	5
Disorderly conduct	2	6
False pretences	1	0
Forgery	1	0
Grand larceny	10	2
Drunkenness	5	3
Petit larceny	10	3
Perjury	1	0
Intoxication	18	10
Prostitution	0	11
Peace warrant	3	2
	<hr/>	<hr/>
	57	42

The sheriff is paid \$2 per week for each prisoner, but this is discretionary with the board of supervisors. A physician for the prison is employed at a salary of \$50 a year. Clothing is furnished, when requisite, by the sheriff, and charged to the county. The prison is heated by a stove, and burns about 200 cords of wood in a season. The prisoners' clothes are washed once a week, also the bedding. The cells are cleaned twice a week, and the whole whitewashed twice a year. The general health is good. Some were suffering with venereal diseases. No death has occurred in two years, and very little sickness.

The bill of fare is generally what the sheriff has in his own family, fresh beef and salt pork, with wheat bread generally. They take their meals in the cells, and are fed three times a day.

The prison yard has water by a living stream from the mountains. The prisoners have wash basins and towels in the cells, and water carried to them three times a day, and oftener in hot weather. There is a large tank in the yard in which the prisoners bathe.

There are 6 cells, of which four are 12x14 feet, and two 8x10 feet. The ventilation is very bad; the cells are provided with bibles; sometimes there are 6 prisoners in a cell; night tubs are used. The cells are constructed of wood, and must of necessity harbor vermin. The sheriff says they are troubled with bed bugs and rats, and cannot get rid of them. No punishments are

used; the law of kindness prevails and is effective. There is no library, and no provision made for religious instruction. "No man cares for their souls."

Two insane persons have been in prison during the year, one has been sent to Auburn, the other is still in prison or rather in the yard, as he is more an idiot than anything else, and lives like a beast; he has a little pen in the yard, is almost naked and unable to tell his wants. There is no provision for such unfortunates, and the judge, it appears, does not know what to do with him. He has been in the prison about a year, was charged with burglary and larceny. He was first deranged, then became an idiot. Some technicality prevented his trial, and there is no provision by the statute for idiots. He will probably be disposed of at the next term of court.

Intemperance is the great immediate cause of crime; eight-tenths are intemperate. Want of religious instruction in early life is also a prolific cause. The average length of sentence is 60 days.

STEPHEN CUTLER.

40. TOGA COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Toga county, situated in the town of Owego, on the 4th day of September, 1863, and reports the following as the result of said examination.

This prison has been built 13 years; is of brick; is lined with 2 inch plank, and sheathed with sheet iron on the inside.

Three prisoners have escaped, two of whom were caught the same day, the other is yet at large. The prison has 8 cells, 4 below and 4 above.

The sheriff contracts with the supervisors at 20s. per week for board and washing. Tobacco is furnished the prisoners by the superintendent of the poor. The bedding is changed every week. The prison needed white washing. The general health of the prisoners is good.

Meat, fresh and salt, wheat bread, potatoes and other vegetables for breakfast and dinner; for supper, bread and milk or mush and milk. They take their meals in the day room. The superintendent of the poor furnishes clothing when necessary. Punishment is seldom, if ever, resorted to. There is no library;

bibles are furnished by the bible society; the sheriff furnishes newspapers,

Intemperance is here, as elsewhere, the principal source of crime. Few of the prisoners have received much religious training or secular instruction in early life.

There is no classification; in the Owego jail there are two boys with the men; this is a great evil. The blame, however, rests with the supervisors; the sheriff cannot help it with a prison so constructed.

There is no chaplain, and no visitation either from ministers or laymen to seek the spiritual good of the prisoners.

STEPHEN CUTTER.

41. TOMPKINS COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Tompkins county, situated in the town of Ithaca, on the 3d day of September, 1863, and reports the following as the result of said examination:

This prison has been built about ten years, and is of blue stone, quarried in the town of Ithaca. It was built by contract, in the shabbiest manner. Two of the prisoners, in the day time, with a bar of iron from the hinge of a cell door, made a hole through the stone wall, and escaped. Three prisoners have escaped during the year. The rear of the prison overlooks a beautiful park, and is 30 feet from the court-house, and 60 feet from a church. The cells are formed at the top with an arch; at the base of the arch, on the lower tier, there is a tube, about four inches in diameter, intended for a ventilator for every two cells, but I think very inadequate to the purpose. The upper story cells have a two-inch auger hole to answer the purpose of ventilation. The partitions of the cells are of wood. If the prison walls were plank over with oak plank, and then sheathed with sheet or boiler iron, it might hold prisoners, but not without it.

Four prisoners were confined in the jail at the time of my visit. Whole number in the past year, 109; largest number, 10. It has once been empty, and the sheriff thinks that if it were not for rum, there would be no use for the building.

As in all the other jails, the prisoners have nothing to do. They are, however, required to saw the wood by which the building is warmed.

The sheriff has a contract with the supervisors for 33 cents a day for board, and 5 cents a piece for washing. The prisoners' clothes and bedding are washed every week. The prison is very healthy.

The food furnished the prisoners consists of wheat bread, potatoes, and fresh or salt meat, twice a day. At night, mush and molasses; but no coffee or tea, unless sick. They take their meals in the day room on the tables. The water for the prison is brought from a well; it could be brought from the hills with little expense. There are no means of bathing provided. Conveniences for washing are supplied.

The sheriff sometimes furnishes clothing, but those who come in for a short time, thinly clad, go out as they come in. The clothing is washed and changed every week. The majority of prisoners are in for intoxication, and only for a short time.

Prisoners are seldom punished. They are sometimes locked up in their cells in the day time. Kindness appears to be the power used by sheriff Jennings and accomplishes all that is desired, so far as order required.

There is no library. Each cell has a bible; newspapers are furnished by the sheriff and sometimes books from his own library, when the prisoners desire it.

STEPHEN CUTTER.

42. BROOME COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Broome county, situated in the town of Binghamton, on the 5th day of September, 1863, and reports the following as the result of said examination.

This prison which has been built 5 years, is of blue stone and on a level with the town, though not so elevated as the court house. Its security has been improved recently, through the advice or recommendation of the present sheriff. Several prisoners escaped previous to the improvements spoken of, but none have escaped in the last year.

There were six prisoners, 5 men and 1 woman confined in the jail at the time of the examination. No work is required of them.

For the board and washing of the prisoners, \$2.75 per week, each, is paid to the sheriff. There is said to be but little sickness, and yet the physician is paid \$50 to \$60 per week for his services.

The bill of fare is wheat bread, meat and potatoes, with other vegetables, three times a day. Tea and coffee are given sometimes, and generally on Sunday.

There is no supply of water in the prison. The well is off the premises; therefore the prisoners cannot have water unless it is brought to them. This is badly arranged. No means of bathing are afforded.

There are 20 cells in the prison proper for males and 3 in the building where the sheriff resides, for females. The cells are 7½ feet long, 4½ feet wide, and 7¼ feet high. The partition between cells are of one slab of blue stone. Warmed by stove—dark and gloomy in the day time, as the windows are double grated. Prison not very clean. Night tubs are used.

There is no prison library, nor instruction given to the prisoners. The sheriff furnishes them with the newspapers. There is a bible for each cell. No chaplain, nor religious services for the benefit of the inmates.

Intemperance is the prime cause of commitments. There is scarcely a crime committed in which it does not have its share. It is a strong man armed, and slays its thousands.

Prisoners under sentence are kept by themselves. There is no other classification.

STEPHEN CUTTER.

43. RICHMOND COUNTY PRISON.

The undersigned, a committee of the Prison Association of New York, visited and examined the jail of Richmond county, situated in the town of Smithfield, on the 7th day of January, 1864, and reports the following as the result of said examination:

Moses Alston, Esq., is the sheriff, and has been for two years. Alfred Daton is his turnkey.

The jail was built in 1860, and I think very poorly constructed. The roof was at first covered with sheet iron, which was removed because of leakage, and is now covered with tin, but is not tight. The material of which it is constructed is brick; the outer walls are 20 inches thick. There are two tiers of cells. Over the top of this second tier was at first a common lath and plaster ceiling. The prisoners soon found out this weak place, and seven escaped jail in the year 1863. In September last the supervisors took down this plaster and sheathed it over with

sheet iron and plank underneath it. There are many other weak points in its construction. The bars of the doors to the cells are so open that a prisoner can put his hand through and unlock the door, and as the locks are all alike to the cells, if a prisoner by any means gets a key or fits one, and by its means opens his cell door, he can then liberate all the others. In fact the upper tier of cells are fastened by a long bar with a lever at the end, and the lever is not locked. So the one who gets loose first would find but little trouble to free all in the upper tiers.

The jail has a fine healthy location. As there is no wall or fence around it, any person so disposed, with a step ladder, or two persons, one to help the other up to the window, can communicate with the prisoners within, talk with or hand anything in to them, and annoyances have occurred in this way.

There are 28 cells, five feet wide, eight feet long, and eight feet six inches high. In the centre wall, between the cells, there is a vertical flue for ventilating the cells. Access to it is by an aperture about four by seven inches, 12 inches below the top of the cell. It answers very well for the cells, the flue running up out of the roof, and capped. But the halls are not ventilated, except by dropping the sash in the narrow windows; hence in the winter time the atmosphere is not very pure, when from 10 to 20 persons are confined there.

The halls of the cells were clean and sweet, having very recently been whitewashed.

At this time there are seven white males and one black male, and three females, making eleven prisoners.

Seven prisoners have been transferred during the year to Sing Sing.

Four young soldiers were tried in November for highway robbery, and sentenced to that prison for 10 years. It appears they were all intoxicated, and waylaid and robbed a pedlar, but it was more a drunken frolic than a robbery or felonious taking.

Prisoners are not employed, except to wash their own clothing, and they must do this or go dirty. One young man has been confined here over a year waiting trial.

There are bath tubs and water closets, with a cistern supplied with rain water; also a pump, with lead pipe reaching to a well near by of good fresh water; hence the jail is well supplied with water, but no bowl or basin for the prisoners to wash their hands or face, nor a towel to wipe with. These helps to cleani-

ness should by all means be supplied to the inmates. The sheriff has \$3 per week board for prisoners, and furnishes clothes and bedding when necessary, but the bedding is not washed more than twice a year, sheets not being used.

A physician is called when required, and he charges his usual fee.

Prisoners suffer more from delirium tremens than anything else, many being brought in intoxicated, but the sheriff says he has become so initiated that he can treat the disease as well as a doctor. No one has died in jail during the past year. Prisoners have their meals three times a day. Bread, butter and coffee for breakfast; meat, bread and potatoes for dinner; bread, butter and tea sweetened with molasses for supper, with a change of diet corresponding to the seasons. The inmates seemed well satisfied with their fare.

Their bedding is changed only when needed. Clothing amounts to about \$75 per year.

The jail is warmed by coal stoves in the halls; but there are no tables from which to take their meals, so they sit down and take them the best way they can. This is the seventh jail I have examined, and the first I have found without this convenience. It is lighted from the narrow windows in the sides of the building. There is no chaplain, and no minister or pious laymen ever visit the prison on the Sabbath or on week days for the purpose of giving them religious instruction. There are no bibles, tracts or other religious reading provided, except occasionally by the sheriff.

No special punishment is needed, more than locking up sometimes in a dark cell; kind treatment generally prevails.

The sheriff thinks three-fourths of the prisoners are habitual drunkards, and they are returned frequently during the year, sometimes staying only long enough to become sober.

There is no classification of prisoners, and at this time the males and females are all in one apartment, except that the three females are kept in their cells. There is a plank partition that separates a part of one side of the jail for the females, giving them three lower and three upper cells, but they are not occupied at present.

Visitors are admitted at all proper times in the presence of the sheriff or his turnkey. Letters are interchanged, but generally examined by the sheriff.

No insane person has been sent to the jail, or has become so while imprisoned, during the two years of sheriff Alston's office.

No money is given to the prisoner on his discharge. They are allowed to obtain with their own means food and other articles, except strong drink.

STEPHEN CUTTER, *Committee.*

44. GENESEE COUNTY PRISON.

I examined the jail in this county, which is situated in the town of Batavia, on the 25th of July, 1863. The prison is a brick building, 30 by 40 feet. Its location is pleasant and healthy. It stands on the bank of a stream, far enough from the centre of the village to be removed from its bustle, and near enough for convenient access. Four prisoners were in confinement at the time of my visit; the average number is about six. The sheriff is allowed 17 shillings a week for board, and good, wholesome food is furnished, but no luxuries. The health of the prisoners is good. They are abundantly supplied with water, but have no means of bathing the whole person. Their bedding is kept clean and wholesome. Plain but substantial clothing, when needed, is furnished, at the expense of the prisoner, if he is able to pay it; otherwise, at the expense of the county. No punishments are used. The keeper is a Christian man, who is able to manage and govern the inmates by moral means. There is no prison library, but books are loaned to the prisoners by the sheriff. The clergymen of the village visit the prison on the Sabbath, and give religious instruction, which is well received. There seems to be more care in regard to the moral welfare of the culprits here than in any other prison I visited. Friends are allowed to visit the prisoners freely, but it must be in the presence of the keeper. There have been two cases of insanity during the year. The patients were removed to the county poor house. Three-fourths of all the commitments are caused by intemperance.

SOLÓMON JENNER.

45. ALLEGANY COUNTY PRISON.

I visited the jail of Allegany county, in the town of Angelica, on the 16th day of July, 1863. It is a plain wooden building, two stories high, with ten cells for the prisoners. There is no ventilation, except from the windows. At the time of my visit, there were ten males and one female in the jail. The allowance to the sheriff for board is three dollars a week for each prisoner. No deaths during the year; health good. The prisoners have the same fare as the family. The beds seem to be in good order, though sometimes infested by vermin. Night tubs are used, which the prisoners empty themselves. The punishments used for violation of prison rules, are close confinement in the cells, and in bad cases, irons. They sometimes have desperate fellows. One man knocked down the under keeper with a club. He is now securely ironed with handcuffs and shackles. There is no prison library, but the sheriff, Edwin S. Bruce, Esqr., said that he would give attention to the subject, and try and obtain some books. There is no classification of the prisoners, but when they desire to be alone they have the privilege; if they prefer to be with others they are permitted to do so, without regard to the nature of the offence for which they were committed. All communications are examined by the keeper, and visits must be in his presence. No regular religious services are held in the jail; yet the ministers of the place appear to have paid more attention to the prisoners than in many other places. Two professed conversions have occurred during the year. There was one case of monomania on religion. One prisoner has effected his escape within the past year. The sentences here are usually for ten days.

SOLOMON JENNER.

46. CATTARAUGUS COUNTY PRISON.

I examined the jail in this county, situated at Ellicottville, July 17th, 1863. It is a stone building, two stories high and 40 feet square, strong, and well adapted to the purpose of a prison. It is situated in a charming valley, and the location is healthy. It is disconnected from all other buildings. There was but one prisoner at the time of my visit, but the average number is from eight to ten. There is no fixed price for the board of prisoners;

the supervisors determine this from year to year. No death has occurred during the year. The food of the prisoners is the same as that of the family, unless some misconduct on the part of a prisoner causes his allowance to be shortened as a punishment. Each prisoner is required to keep himself clean. They shave and cut their hair as suits themselves. When the clothes which they bring with them are worn out, if they can buy more, well; if not, the county furnishes what may be necessary. The cells of this prison are roomy and clean; but there is no ventilation, except through the windows. There is no corporeal punishment; confinement and short rations soon bring them to quiet and obedience. There never has been any library or reading matter for the prisoners, not even a Bible or Testament. The only prisoner who was in jail at the time of the examination, was tried for killing a cow, and convicted. He was fined \$75, and ordered to remain in prison until the fine was paid. The jailor said he often talked and acted like an insane man. He had been fourteen months in confinement, with no prospect of liberation, except through the clemency of the court. Letters are freely sent and received; all, however, are inspected by the keeper. Friends see the prisoners only in the keeper's presence. No provision is made for the moral and religious instruction of the inmates, and no attention appears to be given to this matter.

SOLOMON JENNER.

47. CHAUTAUGA COUNTY PRISON.

The jail of Chautauqua county, in the town of Chautauqua, was inspected by the undersigned on the 23d day of July, 1863. There were in the prison 21 males and 8 females. The daily average for the year has been 17. The need of classification was more apparent here than in any other jail visited by me. A boy of 12 years and several young men were confined in the same apartment with old and hardened offenders,—thieves, pickpockets, and adepts in crime. A few of the prisoners are worked on the streets during the summer; but this is done only with such as are confined for trifling offences. The prisoners have abundance of good, wholesome food, and the sheriff receives \$2.50 per week, each, for their board. All are required to keep themselves clean. Clothes are furnished when needed, and the county

pays for them. No punishments are used but confinement in cells and short allowance of provisions. There is no library at all, but newspapers are furnished occasionally. Three-fourths of the prisoners are of intemperate habits.

SOLOMON JENNER.

48. LIVINGSTON COUNTY PRISON.

The jail of this county is in the village of Geneseo. It was visited and inspected July 27, 1863. It is situated on elevated ground, and surrounded by a beautiful grove. It is built of wood, is very old, and in a rather dilapidated condition. There were 9 male prisoners, and 2 female, at the time of my visit. No deaths have occurred during the year. A physician is appointed by the supervisors, who attends when called upon, which is seldom. The food provided for the prisoners is the same as that of the family. The prisoners are well supplied with water. The county furnishes clothes to those who need them. There is no punishment but close confinement on bread and water. There is no library in the prison. Seven of the prisoners were gamblers, and almost all intemperate. All letters written by prisoners are examined by the keeper, and all conversation with friends is in his presence. All the prisoners are provided with bibles. The ministers of the place occasionally visit the prisoners, and pray with them, but there is no regular moral or religious instruction.

SOLOMON JENNER.

49. WYOMING COUNTY PRISON.

The jail in this county is a substantial wooden building, made of very strong timber, and lined with plank. The dwelling for the keeper is a part of the same building, and is commodiously arranged. At the time of my visit, there were but three prisoners, and the number never exceeds ten. No work of any kind is required of them. The price of board, including washing is two dollars and a half a week. No case, either of sickness or death, has occurred in the past year. There is no prescribed diet for the prisoners—their fare is the same as that of the family of the jailor. The prisoners are supplied with water for

washing. Their bedding is changed once a week, and oftener when necessary. They shave and cut their hair as they please. When their clothes require to be renewed, if they are unable to procure them, they are furnished by the county. The cells of this prison are 6 by 8 feet, and 9 feet high. They are badly ventilated, and not well arranged. There is no library for the use of the prisoners, and no effort made for their improvement. No record is kept of their domestic relations. The prisoners are not allowed to see their friends, except in the presence of the jailor, but every facility was afforded to the committee for private conversation with them. No religious exercises are ever held in the prison, and no care taken of their moral and religious condition further than allowing them access to a bible, when desired.

SOLOMON JENNER.

50. ALBANY COUNTY PRISON.

It is mortifying to be obliged to report for publication in a document that will be examined with interest, not only in our own State and country, but even in Europe, the facts as they are, respecting the jail in the capital city of the State of New York, located within sight and sound both of its city hall and of the halls where the representatives of the people make our laws. If the publication of our report, however, shall have the effect of inducing the county authorities to raze the present structure to the ground, and erect in its stead one more in conformity with the advanced intelligence of the day, and with the demands of a higher morality than that which has ruled hitherto in their administration of the power of society over the violators of its laws, then there will be no occasion to regret the exposure by which so much that is wrong has been done away.

The Albany jail is on the north side of Maiden Lane, directly in the rear of the city hall. On its easterly side is a vacant lot of ground belonging to the jail and used by the jailor for the deposit of fuel, &c. On its westerly side is a stable, within an average distance of about three feet of the jail wall and windows.

The building is of brick. It is said that the stable is to be removed during the year 1864. Why it has been allowed to remain so long it is difficult to understand. During the summer

of 1863, it was on fire *three times*; happily, in each instance, the fire was promptly extinguished. If once fairly aflame, it could hardly have failed to be destructive of life in the prison.

The male prison is in the rear building. It is a hollow square, 32 feet wide by 48 feet in depth, with a double block of cells in the centre, four tiers in height. There are 40 cells, being 10 on each tier; but those resting against the north wall, being two on each tier, are never used, on account of their insecurity. An adept could easily work his way through the wall, which is but 16 inches thick. The number of cells in actual use is thus but 32. They are 4 feet 10 inches wide, 7 feet deep, and 7 feet in height, the grated doors being 6 feet in height by 1 foot 10 inches in width. There are ventilating tubes from each cell, but they communicate with each other, and are of little or no use, the most of them being stopped up, so that in fact, all the fresh air in the cells is that which finds its way through the windows of the outer wall and the grated doors; that which enters through the westerly windows having the advantage of an impregnation of stable fumes.

Two rooms on the westerly side of the front building are appropriated to female prisoners, where they herd together indiscriminately. Murderers have thus been housed with those confined for minor offences, vagrants, &c. The southeast front room, second story, of same building, is appropriated to male witnesses. The male prison is heated by stoves.

At the time of my visit there were, in the male department, men committed for various crimes, boys of from 9 to 14 years of age, deserters from the army, &c., &c., and all, with the exception of an insane man, in the open hall, where gambling for money, with cards, seemed to be the principal source of interest and the only occupation. One hundred and forty men have been confined during the year; at night 3 and 4 being placed in a cell, and many sleeping outside, in the open hall.

No employment is required of the prisoners. This idleness, in connection with their unrestrained intercourse, must naturally lead to indulgence in the usual vices of low life, and to the concoction of schemes of future villainy. Even the safeguard of reading is denied them, if we may except the few tracts that are occasionally distributed by the chaplain; there being no library connected with the prison.

The chaplain, who is employed by the county, at a salary of

\$200 per annum, preaches once on the Sabbath. "No one else," says the jailor, "takes any interest in the moral condition of the prisoners." Churches and professing christians are, nevertheless, numerous in the city of Albany.

The men sleep on straw mattresses, which lie on the floors of the cells. Iron bedsteads were formerly in use, but were removed in consequence of the men breaking them to pieces and attacking the jailor with the rods or bars. Prisoners have also attempted to master the jailor by throwing pepper in his eyes.

It is indeed a matter of wonder that the jailor has not been overpowered long ago, and a general escapade of the prisoners effected. He has no deputy, nor any assistant during the day. At night he is indeed relieved by the presence of *one* watchman. It is difficult to understand how the county authorities can subject an officer to such risk, and impose upon one man such responsibilities; but, then, they pay him a salary of \$900, and charge him nothing for house rent. One desperado might, at almost any hour of the day, effect the liberation of himself and his comrades in crime. Indeed the jailor now carries on his person the marks of a conflict with a prisoner, given in just such an attempt.

The jailor states that the only punishment for violation of prison rules, is chains, and confinement to the cells.

There is no regular change of personal clothing, nor any uniform of dress. Clothing is furnished by the county when needed. Friends are allowed to visit the prisoners at reasonable hours. Occasionally insane persons are admitted, and retained for transfer to the asylum. There is no special accommodation for them. Food, as is perhaps customary in most of our county jails and houses of detention, is sometimes brought in by friends.

The floors are washed daily, and whitewash is also used very freely. Night tubs are supplied to each cell.

There are no hospital accommodations. A physician employed by the county, visits the prison daily.

Water for washing is supplied in the prison hall from the city works, but their is no provision for bathing the entire person.

The prisoners are boarded by the sheriff who is paid \$2 per week, per capita, by the county. The rations are left to his discretion, which of course ought not to be, although the jailor thinks the food better than that of any other prison in the State.

I have found one or two other prison keepers who have the same opinion respecting their own establishments.

The Albany jail should be razed to the ground. A new building should be erected combining space, security, proper ventilation, abundant provision for the separation of the prisoners, special accommodations for children, witnesses, and insane, a hospital and arrangement for preaching the gospel. And with a new building, a new system of government and discipline should be established.

R. N. HAVENS.

NEW YORK, *January, 1864.*

51. RENSSELAER COUNTY PRISON.

Probably the severest criticism on the intelligence and humanity of the citizens of Rensselaer county, in the matter and manner of their treatment of the vagrant, the suspected criminal, wayward children, the insane, unlucky and fraudulent debtors, poor and unfortunate witnesses, and deserting soldiers, would be to throw open their county jail to the public gaze. Perhaps, too, were they acquainted with the facts as they are, they would no longer slumber over their disgrace. It surely cannot be that their well tested liberality, their admitted intelligence, and their zealous Christianity, knowingly permits so foul a blot on their good name.

The facts are these :

The building stands on the north-east corner of Fifth and Ferry streets, in the city of Troy.

It was erected about forty years ago, and cannot be said to have been built on any plan.

The windows open on the streets, a decided convenience for prisoners who wish to communicate with outsiders, and an equally great convenience for outside friends who wish to give the inmates liquor or other contraband articles, prohibited intelligence, &c., and for furnishing every facility for escape which the felon can desire.

There are two tiers of cells; the partitions and floors being of plank, and the walls lathed and plastered; the doors are of heavy strips of plank, (some of them well hacked and cut by the inmates), in part iron strapped.

The jailor, who is a brother of the sheriff, and is paid by him, states that when the present sheriff entered on his duties two years ago, the whitewash had not been removed or scraped off since the erection of the building, almost forty years! and that the stench on its removal was almost suffocating. No wonder. Now, he says, whitewash is applied once a week.

There have been no escapes for the last two years, although many attempts to break jail have been made.

There is no ventilation except by the windows, which open from the corridor. The air enters the cells (perhaps) through the latticed doors; but there is no circulation of air through the cells.

The county has no other place than this jail for the reception of children, who may be arrested for vagrancy, begging and the several minor offences of childhood. Sometimes, as many as five or six boys are on hand. Occasionally they are locked up in a cell by themselves, but as the cells all open on the corridor, and these generally swarm with men of all sorts and character, the boys have every opportunity for acquiring all the knowledge that such teachers are apt to impart.

The profligate and drunken vagrants are generally placed in one tier by themselves, which all open on one corridor.

Debtors are sometimes domiciled in a room by themselves, sometimes they herd with the other prisoners, sometimes with witnesses.

There is nothing to prevent a criminal and the witness of his crime, from communicating with each other, unless the latter be in the debtors' room; and even then, in some cases, it can be done.

Deserters from the army, of whom there have here been as many as 15 or 20 confined at a time, are turned in with the mass promiscuously.

The insane are locked up in cells by themselves; but the latticed doors open on the common corridor.

The sexes are, indeed, separated.

The sick are treated in their cells; there are no hospital accommodations. One white man died of delirium tremens last year. Scrofulous and venereal patients are almost constantly on hand.

The men eat in their cells, the food being furnished in the usual buckets. And no employment is furnished to these men; of course they play cards.

The building is supplied with water from the city works. Hand basons or buckets are furnished to the prisoners, but they are not compelled to wash. There are no bathing tubs. Towels are supplied, but are used in common. No compulsion about shaving or cutting the hair. Men may, and do, come in covered with vermin, and so they remain.

The stench, at the time of my visit, was intolerable, but the jailor said it was nothing compared to the odors which greeted his accession to the office.

Whipping is not allowed. Punishment is by dark cells; although I could see but little chance for enhancing the repulsiveness of the every-day cell.

The cells are supplied with iron bedsteads of double width, for the accommodation of two men; straw mattresses and blankets, which are washed twice a year. Considering that the same blankets may serve, in the course of the six months, for the night covering of as many men, or even more, this is little short of horrible.

The sheriff boards the prisoners, for which he was allowed by the county, in the year 1863, \$2.25 each per week. He furnishes them two meals a day, and for breakfast gives them coffee, bread, potatoes, and beef, either fresh or salt; for dinner, soup of beans or beef, alternated with mush and molasses. I was not informed whether the supervisors examine personally into the character, quantity and cooking of the rations, but it is to be presumed that they do, especially as the prisoners are fed by contract.

The county provides a physician at a salary of \$250 per annum, he furnishing the medicines.

Clothing is supplied by the county, as needed; clothes washing is also at county expense.

There is one turnkey, salary \$500, paid by the county.

The sheriff resides in the jail building.

Bibles and tracts are supplied by the Young Men's Christian Union, whose members also personally visit and instruct the prisoners for an hour on the Sabbath.

Mr. Jesse Battershall, the jailor, was prompt and attentive in furnishing the information I sought.

Such is the jail of Rensselaer county, in the city of Troy.

R. N. HAVENS.

New York, January, 1864.

52. SCHENECTADY COUNTY PRISON.

This jail is in the court house building on Union street, in the city of Schenectady. Besides the occupancy of the building by court rooms and their associated offices, and the jail, the sheriff of the county resides in it.

The building is nearly square, and has vacant ground all around it, enclosed by ordinary board fences. The jail apartments are in the south west angle, and the access to them is from the basement or ground floor. The space allotted to male prisoners is directly on the south side, where there are two large windows; there is also in this apartment one window on the west side; all three are iron grated, whilst that on the west is additionally protected by heavy wire gauze. The female room directly adjoins the male room on the north, being in the centre of the building. It is lighted by a window opening to the west, and is separated from the male apartment by a brick wall. The outer walls of the building are of stone.

In the male apartment there are three tiers of cells, each tier having three cells. All open on corridors, with one flight of stairs. All the cells are 6 feet 6 inches wide, by 9 feet in depth, and 7 feet in height, with grated doors, which afford all the ventilation. The partitions of the ground tier of cells are covered with boiler iron, those of the two upper tiers are of plank, with open seams. The security of the premises may be judged by the fact that during the year 1862-3, there were four attempts to break out, three of which were successful. The first three attempts were by sawing the window bars; the other by breaking through the wall. Other releases will probably be hereafter effected, without aid from the courts, as no very serious impediment prevents, especially when outside friends come to the rescue. At the date of my visit, of the three male prisoners, two were chained to the floor, for trying to discharge themselves. Each cell is furnished with two iron bunks.

There were 402 commitments to the jail in the year ending Dec. 1, 1863. Average number during that year in jail about 5; the largest number at any time was 12; and sometimes the jail was empty.

All the floors are washed weekly, and whitewashed 3 times yearly. One man hung himself in the mouth of May, 1863; there were no other deaths during the year. The prisoners are boarded by the sheriff at \$3 per week, paid by the county. During the long days of the year he supplies them three meals a day, in the winter months, two meals daily, and all from his own table, except as to delicacies.

The prisoners lie on straw mattresses; have three blankets, which are washed when necessary. Their personal clothing is washed weekly. Water is brought for their use in buckets, and soap and towels also are furnished them. But there is no compulsory rule in this matter of washing.

The general condition of the prison during the year was healthy. The experience as to special diseases is the same as that of other jails. No employment is required of the prisoners. The prison is warmed by a stove in the hall. When vermin are found in the bed clothing, it is at once washed in strong alum water. Metallic night tubs are supplied to the cells and are emptied daily.

The only reading matter besides the papers purchased for the prisoners by the jailor at their expense, is the bible. Of course there is no library; and it might also perhaps be said, of course there is no religious instruction given them. Schenectady boasts some magnificent temples of worship.

The sheriff has seen cards in possession of the prisoners, but always destroys them when found. There is no provision for the separation of boys from the men. No witnesses confined during the year. A physician is employed by the county for needful services. This jail is evidently as well kept, as can be expected, but it is faulty in all its arrangements like most of our other county prisons.

The commitments during the year ending Dec. 1, 1863, were as follows:

Intoxication	165
Disorderly conduct	62
Assault and battery	32
Vagrancy	38
Petit larceny	57
Grand larceny	7
Burglary, 3d degree	11

Forgery	15
Assault with deadly weapon	5
Number sentenced to penitentiary	7
Number sentenced to State prison	11
Number sentenced to house of refuge	1
Total males	379
Total females	43

The following is the form of return made monthly by the county sheriffs to the Secretary of State:

STATEMENT of the number of persons convicted at the Court of Special Sessions of the city of Schenectady, during the month of _____, specifying the crime, the number convicted, sex, age, nativity, married or single, degree of education, parents living or dead, whether before convicted or not, whether temperate or intemperate.

NAME.	CRIME.	Whole number convicted.			NATIVITY.	Married.	Single.	Cannot read and write.	Never had religious instruction.	Parents living.	Parents dead.	Father living.	Mother living.	Before convicted.	Never before convicted.	Intemperate.
		Male.	Female.	Age.												

It seems that in some cases the sheriffs do not so keep their books as that these facts can be ascertained at a glance. Uniformity in the jail books should be secured throughout the State; and that on a well matured plan.

New York, January, 1864.

R. N. HAVENS.

53. SCHOHARIE COUNTY PRISON.

This jail is a detached two story stone building, 18 by 30 feet, directly in the rear of the court house. The building itself is substantial, the walls being two feet in thickness. Access to the second story is by steps on the outside. The windows of the first story are eight feet from the ground; two of them are double grated. One window of the second story is also grated. On the first floor are four cells, which are respectively 6½, 6, 9 and 12 feet in width, all 9 feet in depth, and all opening into the common hall or corridor. The smallest cell is dark. The second floor is divided into two rooms opening into the common hall. All the partitions are of plank, and are in a bad condition. The lower floor is used for male prisoners, all of whom can communicate with each other without difficulty through the cracks and holes of the partitions, even when confined to the cells. The second floor is appropriated to females and debtors.

The building is very insecure, presenting no serious obstacles to escape to a resolute man, especially if he have outside assistance. The only occupants of the jail at the date of my visit were one white man, one white and three colored women.

The building is warmed by stoves in the halls. The prisoners are without employment and without books, except the bible, one copy of which is furnished to each department or story.

The sheriff says that the building is free from vermin, although it is difficult to understand how this can be. Water is furnished in buckets for such as desire to wash. All the ventilation is by the windows. Cards are not allowed by the sheriff; when found they are destroyed.

The situation cannot be otherwise than healthy, although there were two deaths in 1863; one of the deceased was ill when committed with congestion of the lungs; the other died from fever contracted in the jail; this last had been convicted of murder. Although this prison is in the midst of a secluded farming population, venereal is found amongst the female prisoners. The prisoners are boarded by the sheriff at 44 cents per day, paid by the county; no regular rations—three meals per day. The sheriff states that he furnishes them bread, meat and vegetables from his own family stores, as much as they wish; food of his family and that of the prisoners is all cooked together. The county pays for medical attendance as it may be required, and also for clothing. Straw mattresses, two blankets and sheets are

furnished each prisoner; the sheets being washed weekly. The floors of the jail are washed about once a month.

The night tubs are emptied only twice a week. Meanwhile they remain in the cells with their accumulating filth. The sheriff does what he can to prevent pestilence arising from them, by the free use of lime. There are no facilities for emptying them near the building; and the supervisors object to the expense of their being daily taken to the creek, which is a short distance off; so says the sheriff. It is to be hoped that the publication of this disgraceful parsimony may not occasion a political revolution in the county, and result in his removal from office.

The religious sentiment seems to be about as much out of joint in Schoharie county as the ruling notions on the subjects of cleanliness and economy. The trustees of the village cemetery would not allow the burial within their enclosure of the body of the woman who died in the jail in November, 1863, although the sheriff offered ten dollars for a grave. Perhaps this is not strange, considering that two of the village clergymen refused to conduct religious services on the occasion of the death. "Like people like priest," said the prophet of the olden time. It is probable that the third clergyman of the village would have complied with the sheriff's request, had he been at home at the time. The sheriff finally secured the friendly assistance of a methodist layman. I greatly regret that I did not procure his name for record. He may be content, however, for assuredly he will not be forgotten in the great day, when the King shall say to all such, "Come, ye blessed—for I was in prison, and ye came unto me." A grave was at length found for the deceased, in an abandoned burying ground, at some distance from the village.

The only way in which it seems possible to reconcile the economy that compels the retention of night tubs for four days, in cells where men live all day, eat and sleep, with the sanctified scorn which spurned the offer of ten dollars for a grave for a fellow sinner, is on the theory that the cemetery trustees and the county supervisors are composed of entirely different individuals.

It is a fitting appendage, perhaps, to these two incidents, to state that no religious instruction is given to the inmates of the jail.

It is to be regretted that some general system throughout the State, for the temporary care of the insane, when first given in charge of the public authorities, is not adopted, whereby they

may be cared for apart from those arrested for crime. The evil is seen in Schoharie jail, as elsewhere; here, these most unfortunate of all sufferers, must find a lodgment for some days at least, in immediate contact with the vile and the abandoned. Is this necessary?

The present sheriff, who entered on his duties January 1, 1864, seems to be desirous of learning and doing his duty, in the administration of the affairs of the jail. The late sheriff offered his aid freely, in my inquiries. To both, thanks are due. As for the jail itself, and the conduct of its business, it needs, like the most of our other county jails, the attention of the State authorities.

R. N. HAVENS.

NEW YORK, January, 1864.

(E.)

REPORTS ON PRISONS OUT OF THE STATE.

I. THE EASTERN PENITENTIARY, PA.

The undersigned visited, inspected, and examined, as thoroughly as such a work could be done in four days, the Eastern Penitentiary of Pennsylvania, the larger and more important of the two State Prisons of that commonwealth.

I commenced my observations on the morning of Saturday the 4th day of July, 1863, and continued them till Wednesday evening, the 8th of the same month.

Courtesy of the Officers.

And here, at the outset, I cheerfully express my obligations and gratitude to the inspectors and officers of the prison, who vied with each other in the cordiality with which they received me, and in the courtesy and kindness with which they aided my investigations. Every possible facility was afforded in the prosecution of my inquiries. Every part of the prison was thrown open to my inspection. I was permitted freely to enter the cells and converse with the prisoners, separate and apart from the officers or any of them, and that to any extent which time permitted or inclination prompted.

General View of the Premises.

On commencing my examination, Mr. John Halloway, the gentlemanly warden of the penitentiary, first walked with me through the prison grounds, ten acres in extent. The ranges of cells are built in seven blocks, radiating from a common centre. From the middle point of the central building, which is an octagon in form, the spectator has a perfect view of all the corridors, and also of the broad graveled walk, which extends from the entrance to the said central building. Each side of this walk is laid out in-parterres, and planted with flowers. The spaces between the radiating blocks of cells are cultivated as a kitchen garden, and yield a large amount of vegetables, which are all furnished to the prisoners as part of their rations. More than twenty gas lamps,

distributed through the ground, light up the premises at night, and increase the security of the prison. I was shown the kitchen, bath rooms, prison reservoir, washing and drying arrangement, smithy, heating apparatus, and last though not least, three dog kennels, each containing three fierce mastiffs, who looked and acted as if they might have the will, as well as the power, to make an end of a man in a very brief space of time. The dogs are for the use of the three watchmen, who patrol the premises at night, relieving each other at intervals of three hours. Each watchman takes with him three of these powerful and willing assistants, who are ever ready with their services, whenever occasion may require.

Prison Wall and Building.

The prison wall is massive and strong, being six feet thick at the base, three feet at the top, and thirty feet high. The whole circuit is 2,640 feet. The architecture of the prison is a Norman Gothic, and the whole structure, but particularly the massive gateway, presents an imposing appearance. The warden and matron are each furnished with a residence in the prison buildings.

Four of the wings are two stories high, and three one story. They vary in length from 330 feet to 180 feet. There are 536 cells in all. Most of them are 8 by 15 feet in dimension, though a few, because of the kind of work carried on in them, (chair-making,) are double that size. They are all 12 feet high.

Prison Yards.

The cells of the lower stories have yards for exercise, of the same dimension with themselves. Many of these yards have borders planted with flowers, or with lettuce, tomatoes, and other vegetables, or covered with strawberry vines. Many also have grape-vines, peach trees, plum trees, or other kinds of fruit. The products of the yards belong to the occupant of the cells, to which they are attached. One prisoner told me that he expected to gather three bushels of grapes this year from his vines. Another has a peach-tree, which yields several bushels of peaches annually, of so fine a quality, that he last year sold them readily at six cents a piece.

Arrangement of Doors.

Each cell has two doors—a grated iron door on the inside, fastened with three bolts, and a close wooden door outside. The

latter are set about one-third of the way open on the Sabbath to enable the prisoners to listen to the religious exercises.— They are opened in the same manner during the hot days of summer, to secure a freer circulation of air. The cells in the lower stories have the same arrangement of doors for the egress of the prisoners into their exercise yards.

Exercise in the open Air.

The prisoners occupying cells which have yards attached, are permitted to exercise therein for an hour each morning in summer, and a somewhat shorter time in winter, whenever the weather is suitable. Convicts sentenced for short terms are placed in the cells of the upper corridors, since these have less need of exercise in the open air, or, at least, can better do without it than long-termed men.

Lighting.

The cells are lighted by small skylights in the roof, six inches wide by 30 inches long. The light is rather dim, though sufficient for purposes of work. The prisoners use oil lamps at night.

Heating.

There are three methods of heating in use. Four of the blocks are warmed by steam; two by hot water; and one by a small stove placed in each of the cells, which latter arrangement is for the convenience of the prisoners at their work, as chair making requires facilities for melting glue. They are kept at a mean temperature of 65° to 70° Fahrenheit in winter, and 80° is a high temperature in summer. The method of heating by steam is preferred, as both more economical and more effective. Less than a ton of coal per day suffices to drive a flow of steam through nearly a mile in length of pipe, and pleasantly to warm 136 cells and two corridors. The experiment has proved so successful that it is proposed to discard entirely the system of heating by hot water, and substitute steam in its place in the remaining blocks.

Ventilation.

There is no artificial ventilation. All the fresh air received is admitted through the door and the skylight, both of which are sometimes opened for this purpose.

Beds and Bedding.

The bedsteads are of pine, 2½ feet wide by 6½ feet long. There is a good deal of annoyance from bugs, roaches and rats. A new

kind of bedstead has been introduced, which greatly facilitates the exclusion of bugs, inasmuch that prisoners who are careful may rid themselves of them entirely. Many cells are said to be entirely free from these pests. The beds are of straw, with a pillow of the same. The bedclothes are two sheets, a comforter, and one or two blankets, as may be required.

Furniture of the Cells.

Each cell is provided with a bible, slate and pencil, and also a prayer book if desired, which is generally the case, as the hymns contained in them are used in the Sabbath services.

Each cell is also provided with a stool, a table (which lets down by the wall when not in use), a closet containing two shelves, a looking glass, a comb, a hydrant, a water bucket, a knife, fork, spoon, plate, tin cup, oil lamp, piece of soap, bottle of vinegar, and can of molasses, holding about two quarts (which is the allowance for each prisoner for a month), together with such mechanical implements as may be required for the work to be performed. Lights are furnished throughout the year till nine o'clock P. M.

Provisions for meeting the Wants of Nature.

The blocks of cells have each an eight inch water pipe passing along the whole length on either side in each story, with valves at the ends. The valve at the upper end is connected with the reservoir, and that at the lower end with a sewer. Each cell has a branch from this pipe, which serves as a water closet for the prisoner. In the morning, after breakfast, the lower valve is thrown open, and the contents of the pipe are discharged into the sewer. Then a stream of water is let on to wash out the pipe, after which the lower valve is closed, and the pipe filled with fresh water, which, rising some inches in the bowl of the water closet, remains till next morning. Once a fortnight, or thereabout, each prisoner is furnished with a large tablespoonful of chloride of lime, which he dissolves in a bucket of water, and then pours the solution into his privy pipe, thus cleansing and sweetening it.

Scrubbing and Whitewashing.

The cells are scrubbed once a week, always in the morning, and whitewashed about four times during the year.

Security of the Prison

The security of the prison seems to be as nearly perfect as may be. The wall is high, thick, and strong. Two massive iron

gates guard the entrance, both of which must be passed before the prisoner can effect his egress. Three watchmen, relieving each other at intervals of three hours, keep ward at night; and the grounds, as before mentioned, are well lighted by gas. The watchman who is on duty divides his time into hours, and distributes his functions as follows: One hour he sits in the centre building, from which all the wings radiate, and where he has a perfect view of every hall, and can see the door of each of the 500 cells in the prison; another hour he patrols the halls and galleries inside of the prison edifices; the remaining hour he traverses the carriage drive, which encircles the entire mass of buildings within the prison enclosure. All the time he is attended by three ferocious and powerful mastiffs, ready to afford the most efficient aid in any encounter with prisoners attempting to escape. Only three escapes have been made during the incumbency of the present warden, a period of eleven years.

Government of the Prison: its freedom from party Control.

The prison is under the control of five inspectors, who are appointed every two years by the Supreme Court of Pennsylvania, and serve without pay, except the treasurer, who receives \$500 a year. Political considerations do not enter into these appointments. The inspectors elect, semi-annually, a warden, physician, clerk, and moral instructor, or chaplain; and here, again, fitness is the only thing taken into account. The gentlemen who hold the four offices named above are uniformly, as a matter of course, re-elected, unless there is some good cause for dropping them, distinct from their party affiliations. The subordinate officers are three superintendents of manufacturing departments, 12 overseers, two teachers, (one of whom acts as librarian,) one matron, one engineer, one baker or kitchen superintendent, one gardener, one coachman, one gate-keeper, three watchmen, and one man whose duty it is to exercise sick and convalescent men in the prison yard. The overseers are always practical mechanics, and are selected for their position, not only on the ground of their general character and qualifications, but also with reference to their mechanical skill. The whole number of subordinate officers, it is thus seen, is twenty-seven, all of whom are appointed by the warden, and continued in office or removed at his pleasure. The entire responsibility attaches to him. The inspectors never interfere, nor, indeed, could they be induced to interfere,

in this part of the management of the prison. They commit the discipline of the institution wholly to the warden, and hold him responsible for its due and efficient exercise. Nor is any appointment or removal of any officer ever made by him on political grounds, but upon the grounds of qualification alone. The consequence is, that five of the present overseers have been in service in the prison for a period of more than twenty years, and one of them more than twenty-five years. Others have served twelve years; others, ten years, and so on. No one is ever turned out, except for cause. The opinion of the warden is that no profession or business requires special education more than the care and government of convicts; and he considers *experience* an invaluable attainment in a prison officer. He, therefore, retains well qualified and skillful officers as long as he possibly can. Not a solitary officer or employee has ever been removed from this prison on political grounds.

Mode of defraying the Expenses of the Prison.

The penitentiaries of Pennsylvania,—the eastern and western, so called,—are supported, not, as the prisons of New York are, by a direct appropriation from the State treasury, but by appropriations from the county treasuries, upon a principle to be immediately explained. The convicts from the eastern portion of the State, within a certain boundary, are sent to the eastern penitentiary; while those from the remaining counties, in the western portion, are sent to the western penitentiary. The prisons open an account with each of the counties in their respective districts. The county is charged with its proportion of the expenses of the prison, according to the number of its convicts undergoing their terms of sentence in it, and credited with the proceeds of their labor. The excess of the charges over the credits is paid by the treasurer of the county; and, if the balance is ever on the other side, it is, of course, paid into the county treasury; or, as has sometimes been the case, left standing to the credit of the county, to meet future balances against it.

Prison Statistics.

There are 350 convicts now in the prison, 22 of whom are females. This, the warden informed me, is an unusually large proportion of that sex. He added, that while the number of male prisoners has been diminished by the civil war now raging, the number of female prisoners has been increased. This dis-

parity is more conspicuous, because much greater in the city prison at Moyamensing, than at the penitentiary. The number of prisoners received during the year was 135; and the whole prison population of the year was 586.

Of these 586, who constitute the entire number of inmates, 500 were whites, of whom 477 were males, and 23 females; and 86 were colored, of whom 83 were males, and 3 females. Their ages were as follows: under 18 years of age, 14; from 18 to 21, 42; from 21 to 25, 138; from 25 to 30, 147; from 30 to 35, 85; from 35 to 40, 46; from 40 to 45, 38; from 45 to 50, 29; from 50 to 60, 36; from 60 to 70, 9; from 70 to 80, 2. Their mental development, prior to entering the prison, is expressed in the following statement: Illiterate, i. e. unable to read, 129; able to read and spell, i. e. with an education almost equal to none at all, 102; able to read and write, 350; having received a good English education, 5; liberally educated, none. The number of those who have both parents living is 168; both parents dead, 177; father only living, 81; mother only living, 155; unknown, 5. The number of convicts married is 220; married and separated, 9; unmarried, 323; widowers, 31; widows, 3. Their moral habits, prior to conviction, as drawn from themselves, may be thus stated: Intemperate, 91; occasionally intoxicated, 145; moderate drinkers, (their own notions of moderation being the standard,) 253; abstinent (not total), 97. The crimes for which these 586 convicts are incarcerated, are distributed by the annual report of the inspectors, among the following causes: 110 are ascribed to intemperance; 77 to licentiousness; 6 to rioting; 6 to idleness; 5 to insanity; 39 to revenge; 53 to covetousness; and 242 to a propensity to theft(!) This strikes me as a very remarkable analysis; and in regard to some of the specifications, particularly the last three, and yet more particularly, the very last, an inquiry into the cause of the causes,—*causa causans*, would be eminently proper. Of the whole number, fully three-fourths were never apprenticed to any trade; and of those who were thus bound, not much more than one-half served out their apprenticeship. These are about the usual proportions, so far as the previous industrial relations of the convicts in the eastern penitentiary are concerned.

Deductions from the foregoing Statistics.

The statistics given in the preceding paragraph afford a basis for many important inferences and reflections, which every one

can make for himself. 1. The years intervening between 18 and 30, being the period when the passions are most active, are by far the most prolific in crime, nearly one half of all the crimes perpetrated being committed by persons between those ages; a much larger proportion of these, moreover, being crimes of reckless daring than are common at a more advanced age. This suggests the importance of training our children and youth before they launch into the great ocean of life, to a habit of manly and salutary self-control. 2. Want of education, ignorance, is another most active cause of crime. This fact points to the necessity for a still wider diffusion of the blessings of a Christian education through every agency, whether in the church or state, by which it may be secured. 3. It is a sad reflection, but not more sad than true, that orphanage is a source of crime. It is particularly worthy of observation that the loss of the father more frequently than that of the mother leads to criminal conduct on the part of the children. The reason probably is, that mothers, as a general thing, are less able than fathers to restrain their sons; and boys, for the most part, need a strong curb, without which, the passions are apt to get too much head. This suggests to parents the importance of exercising careful supervision and wholesome discipline over their children, while spared to perform these parental offices; and to the wise and benevolent, the duty of caring for those whose natural guardians and governors have been snatched away from them by death, while they are yet in the plastic and formative period of their existence. 4. Intemperance (back of which, however, let it never be forgotten, lies the want of early parental restraint and instruction) is the giant whose mighty arm prostrates the greatest numbers, involving them in sin and shame and crime and ruin. Other causes slay their thousands; this, its ten thousands. For, although only 91 were willing to own that they were intemperate, yet there is abundant evidence, out of their own mouth, to show that at least three-fourths of the whole 586 were more or less addicted to intemperate habits. 5. Want of a trade is another fruitful source of crime. Would it not be well to revive the old Jewish custom of teaching to all our youth some handicraft? Even Paul, though belonging to the highest class of society, and educated in the most liberal manner, had learned the trade of tent making, which he found, under the circumstances into which his profession of Christianity threw him, highly advantageous

as a means of earning a livelihood. At least, the principle of the usage referred to, viz.: that every one, without exception, should be taught some regular business, by which an honest living can be earned, is a principle of the utmost importance both to the virtue and thrift of the community, and ought to be fully incorporated into our national manners. It would nip many a crime in the bud.

Annual Expenses of the Prison.

The entire annual expense of the prison for the last year was, in round numbers, \$41,000; being a fraction less than twenty cents per day to each prisoner. The items of this sum are as follows: salaries, \$16,387.89; provisions, \$13,074.08; clothing, \$2,661.92; fuel, \$8,773.09; light, \$1,444.52; water rent, soap, brushes, washing, &c., \$2,888.44; shoes for convicts, \$672.04; medicines, \$300.93; expenses of horses and harness, \$340.80; sundry repairs, \$31.50.

Convict Earnings.

Nearly one half of this expense was met by the proceeds of convict labor. To the very natural inquiry why the convicts could not be made to earn, each, twenty cents a day, and so defray the entire prison expenses, the following was given in explanation: Every branch of industry requires no little time to acquire skill, or even available ability, in the practice of it; four-fifths of all who enter the prison as convicts, have never learned any mechanical art, and, of course, have to be taught a trade after entering upon their imprisonment; and not a few, besides having no capacity beyond that for the roughest kind of day labor, have deeply seated and inveterate habits of vagrancy and indolence to overcome. These considerations, it is claimed, abundantly explain the small *per diem* earnings of the prisoners. To which is added the statement that, owing to the failure of the manufacturer who had previously given employment to a hundred cotton weavers, these had been thrown out of work, and though diligent efforts had been made, only partial employment has been secured for them since.

The total earnings of the prisoners, last year, were within a fraction of \$18,000.

Industrial Occupations of the Convicts.

The following are the branches of industry carried on in the prison, named in the order of their relative productiveness: shoe-

making; cane-seating; weaving; chair making; washing, cleaning, making fires, &c.; tailoring; painting and varnishing umbrella cane; baking and cooking; gardening; plating ropes for car matting; smith work and stable work. About 150 convicts are employed in the shoe-making business; 100 in cane work; 20 or more in weaving, two of whom weave rag carpets, the rest balmoral skirts, and so on. The women are chiefly engaged in making and mending clothing for the prisoners.

A Trade taught to every Convict.

In this prison a complete trade is taught to every convict. For example, in the shoe-making department the knowledge of forming a shoe, in all the various stages of its manufacture, is imparted to each man. This, it is claimed, and, as it seems to me, justly, is a great advantage over the congregated system of labor, in which each convict is confined to one particular branch of the department of industry in which he is engaged—an advantage, I mean, to the criminal himself (the State may not gain as much pecuniarily for his labor) since it puts him in possession of a trade, by pursuing which, after his discharge, he may earn an honest living. In point of fact, the managers of this prison are often cheered by the success in life of discharged convicts—a success secured by their knowledge of a business which was acquired within its walls.

The Dietary.

The prison dietary is abundant, wholesome and palatable. The morning meal consists of bread and rye coffee; the coffee being without the addition of milk, though sweetened with molasses. For dinner, the prisoners have beef (always fresh) three days in the week, mutton three days, and salt or smoked pork one day, with soup made from the beef or mutton as an invariable accompaniment, to which vegetables, with rice or barley, are added. Potatoes, beans, hominy and cabbage are the standard vegetables, though a considerable quantity of other kinds, particularly lettuce, onions and tomatoes, are furnished fresh from the prison grounds. It should be mentioned that beef is not provided in the whole carcass, but only the rougher and cheaper portions of the animal. The practice in this respect is different in our State prisons.

Supply of Water—Cleanliness.

The prisoners have Schuylkill water *ad libitum*, there being,

as already stated, a hydrant in each cell. Every convict is allowed two towels, which he is required to keep clean. The prison is provided with nine bath tubs, which are supplied with hot and cold water. Thirty-two prisoners bathe every morning. This operation commences at six o'clock and continues till seven, fifteen minutes being allowed to each set of bathers. As water is supplied without stint, the male prisoners often bathe in their own cells by rubbing themselves with a wetted towel. A single bath tub is provided for the female department, and each inmate is allowed the use of it once a fortnight. The men get round in about the same time. The sheets and pillow cases, and also the clothing of the convicts, are washed and changed weekly. Razors are furnished to the convicts twice a week for shaving. A very few are allowed to keep their own razors in their cells. The overseers are required to cut the prisoners' hair, which is done at no stated time, but as often as may be necessary.

** Clothing of the Convicts.*

The standard clothing of the prisoners is a mixed (blue and white) cotton drill. A suit consists of pants, roundabout and vest, with flannel shirt and drawers, and shoes and stockings. The clothing is the same summer and winter. New garments are supplied whenever they are needed.

Offences most common in the Prison.

The most frequent violation of prison rules is trying to communicate with fellow prisoners who occupy adjoining cells. Such attempts are oftenest made by using the privy pipes when emptied of water in the morning, the skylight, and the wooden doors when opened for ventilation. Sometimes prisoners drill holes in the walls for this purpose. Other offences are destroying tools, breaking locks, attempts to escape, refusing to work, working in a listless, lazy manner, &c., &c.

Punishments.

For a first offence, remonstrance, counsel, persuasion, appeals to the sense of duty and the better feelings of the heart are used, and often with the best effect. If these fail, the offender is deprived of a dinner or two, which frequently brings him to repentance and submission; or he forfeits the use of the library, or is shut out of the exercising yard, or is deprived of the visits of the teacher for a time; and, as all these are regarded as privileges, the withdrawal of them is not infrequently attended with

salutary effect, as a means of discipline. In cases of greater obstinacy, the punishment is a dark cell with bread and water once a day, and without bed or bedding, other than a single blanket—irons being sometimes added in cases of desperate refractoriness. This punishment is limited by the board of inspectors to one week, and generally the culprit is subdued in less time than that. But if not, what then? Sometimes light is let into the cell where he is confined (it is darkened simply by shutting up the skylight), and he is still kept on spare diet and without bed. At other times he is taken out of the dark cell for a short space, but almost immediately returned to it for another week. There is an ordinary shower bath which is sometimes used, rather for the purpose of frightening than of punishing transgressors. Neither the bolt bath nor the cat is ever used.

The whole number of punishments by dark cell, during the last year was thirty-four. This, in a prison population of 586, is claimed by the prison authorities as a strong testimony to the mild but firm and efficient discipline administered in this institution.

The Power of punishing confined to the Warden.

The warden alone has the power to direct the infliction of punishment. All subordinates must report to him the cases which are thought by them to require the exercise of discipline.

Effect of Punishment.

The punishments administered here, according to the testimony of the warden, are very rarely found to produce any injurious effects, but rather have a softening, subduing, salutary influence. In one instance a prisoner who, from laziness, had not accomplished half of his allotted task, was confined for a week in the dark cell. On coming out, he not only performed the work required, but became one of the most successful overworkers, earning a handsome sum for himself by extra labor. In a few cases, it is admitted that the effect has been to harden the convict, rendering him morose and sullen.

Prison Library.

The prison has a library of 2,600 volumes; 600 of them being in the German, and a few in the French language. It was commenced, many years ago, by donations from the Philadelphia Prison Society, and has been increased by private benefactions, one gentleman having given twice, and another once, the liberal

sum of \$100 to the object. For the last three years the Legislature has appropriated \$250 annually for the increase of the library and the purchase of school books, copy books, stationery, &c., for the prisoners. The library is much used by the convicts. During the last year, 11,526 applications for books were made and answered. The books are distributed every two weeks, and each applicant is allowed to take out one large volume or two small ones. He has in his cell a printed catalogue and also a card slate, on which he marks eighteen numbers, out of which the librarian is able to obtain some book that will suit his taste, though not always the one that he would prefer. Rather more than two-thirds of the prisoners have sufficient education to avail themselves of the advantages of the library. These advantages are so highly prized that a forfeiture of them for a season, as noticed above, is used as a means of discipline, and is found to be very effective.

Secular Instruction.

Two teachers are employed in the prison, who devote each seven hours a day to the duties of their office, going from cell to cell, and spending (say) 15 minutes with each convict pupil. About 180 prisoners are now under instruction in this way, and they receive on an average one lesson per week, one of the teachers making his round in six days, and the other, (who acts as librarian,) in eight. They are taught to read, write and cypher, and are much interested in the work of learning. The success of these efforts may be best illustrated by the recital of one or two cases. A young Irishman, who had served out a sentence of three years in the penitentiary, although totally illiterate on entering, had become, during his imprisonment, a good reader, an excellent penman, and an expert arithmetician, having gone several times through the arithmetic. He declared that the years of his imprisonment had been by far the most profitable of any three years of his life, nor would he exchange for any amount of money the benefit he had received from the instruction of the prison. He was now, he said, fitted for a lucrative situation, such as had often been offered him at the west, but which he could not accept for want of the necessary learning; nor would he ever again be found within any prison walls. This young man now holds an excellent and lucrative position in a western railroad company. Another case was mentioned of a young man, also an Irishman, who was sentenced for two and a half years. He

was, in like manner, when committed, quite ignorant of letters. He became, through the instruction received in the prison, well versed in the ordinary branches of learning, contracted a great fondness for reading, and was a thoroughly reformed man. After his discharge, about two years ago, he went to New York, obtained a situation as book-keeper at a good salary, has maintained his integrity, is highly esteemed by his employers, and has saved from his earning in two years the sum of \$500. He has kept up a regular correspondence with the gentleman whom he regards as chiefly instrumental in his reformation, a member of the Philadelphia prison society, and, in virtue of such membership, an official visitor of the prison. He writes to his benefactor about once every three months, and expresses immeasurable gratitude for the benefit received through the eastern penitentiary. Thus, this educational influence is found to be useful in a three-fold relation. In the first place, the prisoner acquires, by the cultivation of his mind, the capacity at once to improve his own condition and to become a more useful citizen. In the second place, it is an effective instrument of prison discipline. And, in the third place, it is an important agency in the convict's reformation.

Religious Instruction.

The prison has a chaplain, who is called, out of deference to the feelings of the Society of Friends, moral instructor. The Rev. John Ruth, a worthy minister in the Methodist communion, is the present incumbent. It is to be observed that, as there are seven ranges of cells, seven religious services must be held each Sabbath, if all the prisoners are to enjoy the benefit of such services every week. It is a problem, which would appear difficult of solution to most minds, how they are to get that benefit with only one chaplain. The thing is effected in this way: The Methodist local association details every Sabbath three preachers to this service; and there are usually an equal and sometimes greater number of volunteers from the Methodist and other denominations. Mr. Ruth himself always preaches once, and sometimes, though not often, two, three, or even four times. He has a general oversight of the library and the secular instruction. He visits, as moral and religious teacher, as pastor, in effect, from cell to cell, every day through the week, averaging about fifteen visits, and spending some five or six hours in

this work per day. He converses with the prisoners, inquires into the state of their souls, gives suitable counsel, tries to deepen salutary impressions and strengthen good resolutions, and sometimes, where such exercises seem likely to be beneficial, reads the Scripture, or offers prayer, or both. He aims to see all the prisoners every month, taking them in rotation, though sometimes, for special reasons, he visits particular individuals more frequently. The prisoners receive religious instruction with interest and apparent gratitude. In addition to the other means of moral and religious influence enjoyed by the convicts, pious benevolence has provided for them a supply of religious tracts and, to a certain extent, of the weekly religious newspapers. Salutary impressions seem to have been made on a number of minds, and a few have, in the judgment of the chaplain, given pleasing evidences of genuine conversion. Time alone will test the reality of this work.

Sanitary condition of the Prison.

According to the testimony of the physician, Dr. Woodhouse, the general health of the inmates is good, considering the character and previous habits of the prison population. Their health, as a general thing, improves after their reception into the prison. Dr. W. claims that the average of mortality in the eastern penitentiary is less than in any other prison, either in this country or Europe. Only six died during the last year, being a very small fraction over one per cent., most of them of pulmonary diseases. Were it not for self-abuse, a vice exceedingly prevalent here as in other prisons, the Doctor thinks there would be scarcely any serious sickness at all.

The Infirmary.

The whole upper story of one of the blocks of cells is devoted to the purposes of an infirmary. There are twenty-four cells, double the usual size, and two of the ordinary dimensions, appropriated to this use. No more than one patient is permitted to occupy a cell in this department.

Cases of Insanity.

There are three or four very decided cases of insanity in the prison at the present time, and as many more of a milder type. One of the patients belonging to the first class is not a convict,

but, being violent and dangerous, was sent here from the lunatic asylum, for safe keeping; a singular reversal of what would seem to be the proper course. Insane convicts ought to be sent from the prison to the lunatic asylum, instead of from a lunatic asylum to a prison. Such a course is dictated both by humanity and sound policy. All the prisoners suffering under mental alienation are reported to have been insane when they entered the institution, with one exception. His case is considered doubtful. He was always of a wild, eccentric character; and manifestations, indicative of an unsound state of mind, occurred within two weeks of his first admission into the prison. The present condition of this convict is deplorable in the extreme. He is so violent that he tears any bed and bedding furnished him into tatters, and hence he has nothing in his cell but a blanket. He is so dangerous that no one dares enter his cell, and for the last twelve days, he has refused to receive, through the aperture in the door of his cell, either food or water. During all this time, he has not tasted water, nor for the first eight of the twelve days, did he eat a morsel of food. As he would receive nothing offered to him, the only thing that could be done to prevent starvation, was to throw a piece of bread occasionally into his cell, which, for four days last past, when nobody was present to see him, he has picked up, and has eaten a few mouthfuls. He answers no call, utters no syllable, gives no token of recognition, manifests no interest in "all that's done beneath the circuit of the sun," but lies, like a corpse, not upon his pallet of straw, (for he has none,) but upon his blanket, in a corner of the cell, an object, as I saw him, of extremest commiseration. The individual mentioned as having been transferred (which was done in 1849,) from the lunatic asylum to the prison, because of his violent and dangerous developments, is now, and has been for years, perfectly quiet and inoffensive. Yet he remains in the prison, despite the earnest endeavors of the prison authorities to have him removed; though it is difficult to perceive on what ground, either of law or humanity, his enforced continuance there can be justified.

There is no special provision for the care of the insane, other than that those of this class of unfortunates who are quiet, are taken out occasionally to walk in the prison grounds. Beyond this, nothing special is done for them; but they remain in their separate cells, like the other convicts.

Nationality of the Convicts.

As to the nationality of the convicts in this penitentiary, it was told me that more than a fourth, and less than a third, are of foreign birth; a goodly portion of whom are from Ireland.

Visits of Friends.

Prisoners are allowed to receive visits from their friends once in three months, but always in the presence of an officer, and with the grated door closed between the convict and his visitor. The only exception to this rule of exclusion from the cell is when mothers visit their children. They are admitted to a more private interview within the narrow walls to which their offspring are confined; but even then an officer stands at the door.

Correspondence.

Convicts are allowed to write letters to their friends once in three months, and may receive them more frequently; but the letters, both ways, are, as a matter of course, subject to inspection. The teachers write for those who are unable to write for themselves. Most of the convicts avail themselves, to the full extent, of the privilege of corresponding with the absent.

Money given to Prisoners on their Discharge.

Until lately the amount of money given to each convict on his discharge was \$4. By a recent law, a convict who has fifty miles or under to travel in reaching his home, receives \$5; one who has over fifty miles, receives \$10.

Tasks and Overwork.

Prisoners have an allotted task to perform by the day, week or month, according to the kind of work on which they are engaged. When this task is done, all who choose are permitted to do overwork, in which case one-half their earnings go to the prison and the other half is their own. A suggestion that all the avails of *overwork* ought to belong to those who do it, was answered thus: A very light task is assigned, on account of the moderate average capacity of the convicts for work; a task far lighter than would be assigned an ordinary mechanic in civil life. This task can be accomplished by an ordinarily industrious hand in, say, eight hours; some achieve it by noon. To the end, therefore, that, on the one hand, the men might be encouraged to exert themselves, and, on the other, that the institution might not loose too much by the lightness of the labor imposed and the

consequent surrender and sacrifice of too large a proportion of the time of the able mechanics among the convicts, a compromise was made, and the earnings of overwork, as stated above, were divided between the two parties. That this is, upon the whole, in the first place, a considerate arrangement in favor of the feebler members of the prison community, and, in the second place, a fair arrangement in so far as the abler members are concerned, any one will be convinced, as I was, when he weighs the following statement: There is a convict in the prison, sentenced for five years, which term is now nearly completed, who has declared his intention of taking away with him, on his discharge, \$500; and there is every prospect that he will accomplish his purpose. Some others are treading closely upon his heels. Now, it will be apparent, on a moment's reflection, that no convict ought to be able, under any system, to clear \$200 a year for himself, while undergoing a sentence of hard labor for the State, for a crime committed against its laws and to the injury of its moral and material interests. From a third to a half of the prisoners, as near as I could learn by questioning the different officials, do overwork, and their average earnings for themselves amount to from two to three dollars a month. Quite a number realize four or five dollars a month, and some double that amount. This money is, in some cases, sent to friends, but for the most part is reserved to be paid to them in the mass, on their release from the prison. The convicts are allowed to purchase tobacco for themselves with their own money, but no extras in the way of food or drink. They may, however, if they choose, subscribe for a religious paper, approved by the authorities.

Distinction made between Solitary and Separate Confinement.

The authorities of this prison make a broad distinction between solitary and separate confinement, and strenuously insist that their system, particularly as now administered, belongs to the latter as contradistinguished from the former category. They affirm that their object is not isolation from all society, but simply separation from convict society and withdrawal from the contaminations and deteriorations thence arising.

This leads to the inquiry how far, on the one hand, provision is made in the eastern penitentiary, for supplying to the prisoners virtuous and improving society, and how far on the other, the endeavor to isolate them from contact and converse with one another is successful.

How far virtuous Society is provided for the Convicts.

In answer to the first of these questions, viz: how far virtuous intercourse is secured to the prisoners, the following facts are stated. The teachers visit once a week those convicts who are under their instruction, amounting to more than half the prison population, and spend from ten to fifteen minutes with each. The chaplain aims to see and converse with every prisoner once a month; to some, particularly the sick, his visits are more frequent. There is a committee of twenty-five gentlemen of the Philadelphia prison society, who are constituted by law a board of official visitors. Two or three of these gentlemen spend two afternoons every week in going from cell to cell, conversing with and counseling the prisoners. Others spend one afternoon a week; and others still, one or two afternoons per month. From the best opinion I could form, after diligent inquiry in different quarters, I should think that the services of these gentlemen are equivalent to the time of one person devoted to the work of visitation for an entire year, and that the prisoners are visited by them about as often as by the chaplain, that is, once a month.* The warden regularly visits all the prisoners in rotation, making about four rounds annually, so that each convict is seen in his cell and personally counselled by him four times every year, many of them much oftener. The board of inspectors has a visiting committee of two, who serve for two months and are then replaced by another, and thus a perpetual succession is kept up. The members of this committee are required by law to visit the prison twice a week, and this duty is, for the most part faithfully performed, so that the prisoners are frequently seen by this class of officers. The superintendent and overseers, being charged with the duty of teaching the convicts a trade in cases where such instruction is necessary, and having to overlook their work and distribute their food, as a matter of course see them several times a day, and have more or less intercourse and conversation with them. Besides the visits of the matron which are frequent, and the visits of the warden and chaplain which are less so, a number of christian ladies weekly visit, read to, pray with, and suitably instruct and counsel the female prisoners. Such are the means of social intercourse provided for the inmates of this penitentiary, and such the social influences surrounding them.

* On looking over (since the above was written, the last annual report of the society, I find the opinion expressed in the text substantially correct. My estimate is a fraction over the number of days, but a still longer fraction under the number of visits.

How far the Isolation of the Convict is secured by the system of separate confinement.

In reply to the second question, viz., how far the endeavor to isolate the prisoners from one another is successful; the following statements may be made: A certain number of convicts from the necessities of the case are obliged to become known to each other, and to hold more or less intercourse together. Four work in the garden, as many more in the kitchen, three in the washing and drying department, three in the smithy, two in the library, and seven act as runners, one in each block—who are always in the corridors to assist in distributing the meals, and do other little chores for the overseers and other officials. Occasionally, also, where a prisoner is of feeble intellect and seems to need some support to lean upon, he is placed in a cell with another of stronger powers, who may serve as a kind of prop to him. Ten per cent, it is thought, will cover the whole number who thus become known to each other by sight, and, to a certain extent, by personal intercourse.

Then as to communicating with one another in their cells—does such intercourse take place, and, if so, how extensively? A former warden of this prison, Mr. Samuel Wood, was accustomed to say, "give a man a hole to breathe through, and you give him a hole to talk through." It is not, then, pretended by the friends of the separate system, that an entire stop can be put to communication between prisoners. It has already been stated that the most common form of transgressing prison rules is the attempt to communicate with one another. This is done in various ways. When the water pipes are emptied for purification, as they are for half an hour each morning, the prisoners talk through them. They do the same through the skylights of their cells, through the rear doors of their cells when partially open for ventilation, and over the walls of their exercising yards, though no two of these in immediate juxta position are ever occupied at the same time. Another mode is to converse through the solid stone wall of the cell, (22 inches thick,) by applying to the wall the ear on one side and the mouth on the other, by which means articulate sounds are transmitted with ease and distinctness. When a prisoner desires to converse in this way, he raps on the wall, and if his neighbor is likeminded, he responds in the same manner. Without a thought of this, but simply to test the character of

the wall, I gave three raps with my knuckles while conversing with a prisoner, and instantly an answer was returned from the other side by similar raps, except that they were made by some hard substance instead of the hand. Undoubtedly, all these methods of communication are perilous, as the words employed, to secure their transmission, must be spoken in a tone considerably louder than that of ordinary conversation; a circumstance which greatly narrows the limits to which this sort of correspondence can be carried. Still there is, no doubt, considerable communication had in these various ways between prisoners in adjoining cells; for, as one of the convicts observed to me, when a man has been in prison two or three years, he gets to know pretty well the occasions when it will be safe for him to indulge the propensity to talk. Upon the whole, there can be no question that the fundamental principle on which prison discipline rests, alike under the separate and congregate plans, that, namely—of non-intercourse between convicts—is far more effectively applied in the former than in the latter system.

Recognitions after Discharge.

As to recognitions after discharge, I am convinced that they are limited to a very narrow circle indeed. I interrogated several of the convicts on this point (as well as the officers,) and they all admitted that they did not know their fellow prisoners by sight, not even their nearest neighbors. A single fact may be mentioned to corroborate this view. The warden once saw three men working side by side on the wharf. He recognized them as having all been in the prison together; but not one of them was aware of the fact. Their acquaintance with each other was formed subsequent to their imprisonment.

Present Character of the Separate System, as administered in the Eastern Penitentiary.

In one of the preceding paragraphs, I have spoken of "the system of prison discipline as at present administered in the Eastern Penitentiary." There is a deep significance in the expression; for, although the principle of the Pennsylvania system has remained ever the same, the details of its application have undergone material modifications. There has been a gradual softening of the sterner, not to say harsher, features of the system, an adaptation of it to the milder civilization of the age, and the better known and more thoroughly appreciated necessities of

human nature, while undergoing incarceration for its crimes. The spirit in which the system was originally established and administered, is expressed, if perchance, with some degree of exaggeration, still with substantial truth, in the remark of a most respectable gentleman, prominently connected with the prison as one of its originators and early managers: He was accustomed to say that all a convicted criminal needed, or ought to have, beyond the plainest food, was his bible, his work, and the four walls of his cell. Accordingly, the imprisonment, during the earlier years of the institution, was solitary as well as separate. The prisoners dined, for 364 days in the year on beef and potatoes; fresh roast pork being substituted on Christmas day, for the otherwise unvaried and invariable bill of beef and potatoes. There were no teachers, no library, no religious newspapers, no friendly christian visits, and no sympathy from the outside world; nothing, in short, but a dismal cell, a dismal round of unbroken toil, dismal meals, dismal reflections, and, most terrific and intolerable of all, a dismal solitude, stretching out into the long perspective of coming years. No wonder that the physician reported, from year to year, a fearfully large number of convicts dying, and the moral instructor a fearfully small number benefited by his lessons. But now, how changed is all this! The system of *separation* is, indeed, kept up as rigidly as ever; but in how modified and comparatively mild a form is the principle applied! A diet, wholesome, abundant, and sufficiently varied in its meats, with vegetables more or less changed with the seasons; instruction in secular knowledge, not certainly to the extent needed, but still to an extent found to be highly beneficial; intellectual aliment provided in a library of nearly 3,000 volumes, as also in a fair supply of religious papers and tracts, and used to an extent represented by nearly 12,000 annual applications for books; the ever welcome visits of kind and patient teachers; the systematic visitation on the part of the members of the prison society, and many devoted christian women, whose friendly calls, made in the very spirit of the gospel, are continually recurring, and in numerous instances have proved to be most useful in their influence; the sympathy and counsels of a wise and faithful pastor, whose interviews are repeated with a frequency which marks a fidelity, zeal and devotion, worthy of all praise; and the considerate attention of the inspectors, warden, and subordinate officers, all attest that important modifications have been intro-

duced into the system, without at all impairing its essential nature, or weakening the force of its distinctive principle. What, therefore, may have been the tendency of the system, as originally established and administered, to produce insanity in the convicts subjected to its action, any such tendency at the present time, and under the more enlightened and humane administration now practised, is strenuously denied, and the allegation of it almost indignantly repelled. A preëminently reformatory power is claimed for the system, and, particularly, it is said to commend itself to public approval and favor by its influence on young offenders. The number of re-convictions of convicts discharged from this prison, according to tables framed by the inspectors, is a fraction over ten per cent., but according to a very elaborate and instructive set of tables, made from original records, by one of the prison teachers, a most intelligent gentleman, whose name, I am sorry to say, has escaped me, it is but a little over nine per cent.

Personal interviews with the Convicts.

I visited in their cells and conversed with some 25 or 30 prisoners, spending from ten minutes to half an hour with each. Sometimes the chaplain and sometimes one of the teachers accompanied me into the cell; but, for the most part, I went in alone, and my interviews were entirely private. My inquiries were directed mainly to their education, religious training and moral habits prior to conviction; the state of their health before and after imprisonment; the causes operating to lead them to the commission of crime; their knowledge or want of knowledge of a trade, and the degree of industry with which they had previously devoted themselves to some regular business; the treatment they receive in prison; their feelings toward the prison officials; their views as to the system of prison discipline to which they were subjected; and the influence of the system upon their mental and moral condition, and their habits while in prison.

Testimony of the Convicts as to the Influence of their Imprisonment.

The prisoners generally spoke in grateful terms of the kindness of the officers. One man said he had met with loving christian brothers in the prison, and that he liked every man that had any thing to do with him there; another, that he had found the prison a good place, had received much benefit from his imprisonment, and had learned everything good he knew there; a third, that

the prison had been a palace to him, since he had there been converted from infidelity, received, as he hoped, the forgiveness of his sins and obtained an interest in the Redeemer; a fourth, that he was glad that he had been in the prison, for that having, before his imprisonment, been much addicted to drinking, gaming, theatre going, licentiousness, &c., he trusted that he had now become thoroughly and permanently reformed; and another, that he was glad that he had been brought there, because he had learned many things that he was a stranger to before, and thought his solitary confinement had had the effect, by the help of the Almighty, to save his soul. There was a uniform testimony to the abundance and wholesome quality of the prison fare. Most of the convicts declared that their health was good; several that it had improved since their imprisonment, though a few averred the contrary. As far as my scrutiny went, and I directed it closely and earnestly to that point, I could detect nothing like incipient wildness, nor anything that looked to me like a tendency to insanity. I inquired particularly of most of the convicts whom I saw, whether, if they might make the election for themselves, they would choose the separate or the congregated system of discipline. One or two expressed a preference for the latter; the greater part were decidedly in favor of the former. A majority of the prisoners had received no education worthy of the name; few had learned a trade or pursued any regular business; only a small portion had been, in their childhood and youth, regular attendants either upon church or Sabbath school, and they had been addicted, for the most part, to intemperance and its kindred vices. The practice of self-abuse, to a greater or less degree, was acknowledged by the major part of the convicts whom I saw. It should be added that the prisoners generally seem to prize very highly the books afforded by the library, and the opportunity of lesson learning, enjoyed through the weekly visits of the teachers. One convict, an Italian Jew, and a professed convert to christianity since his imprisonment, has quite a library of his own, two shelves filled with books, partly purchased by himself, but chiefly the gift of benevolent gentlemen who feel an interest in his case.

Such is the picture, composed of alternate light and shade, which these wretched men drew of themselves. How far their statements are true or otherwise, is known only to the Searcher of hearts. Most of them *seemed* to speak truly; in the case of

others doubt *would* force itself on my mind. The crime charged was generally confessed; where it was denied, so plausible a story was told as to wear the similitude of truth, and make one think their innocence at least not improbable.

Process of receiving Convicts into the Prison.

When a prisoner is received into the penitentiary, he is first conducted into an ante-room, where a minute description of his person is taken by the warden, and recorded in a book kept for the purpose. He is then hooded, taken to the bath-room, thoroughly washed, and furnished with his new convict suit; after which, he is again hooded, and led to his cell. His own clothing is washed and put away to be kept till his discharge. If this, as often happens, is worthless and unfit for use on coming out, the state makes no provision for him. The Prison Society of Philadelphia affords aid in some cases; but is unable to do so to any very great extent for want of the requisite funds.

Difficulty experienced by Discharged Convicts in obtaining Situations

No little difficulty is experienced by prisoners in obtaining situations after their discharge. The prison authorities have no systematic plan to procure work for their released convicts; nor, as far as I could learn, the Prison Society either. This organization does what it can with its limited means; but much that would be desirable, and might be fruitful, remains undone for want of funds.

Conclusion.

In conclusion, I desire to express my deep conviction of the wisdom, fidelity, genuine kindness, and eminent success, with which the system of prison discipline, adopted in the Eastern penitentiary, is carried out to its results, by the Board of Inspectors and the various officers, whose duties bring them into more immediate contact with the prisoners. Nor can I withhold a similar testimony in behalf of the excellent and worthy gentlemen who compose the Philadelphia Society for alleviating the Miseries of Public Prisons, and whose enlightened and self-sacrificing zeal in their efforts to reform the wretched inmates, both of the Eastern penitentiary and the county prison at Moyamensing, is above all praise. Were the opportunity afforded me, I would certainly, with all the force of logic and rhetoric I could

command, urge upon the citizens of Philadelphia the duty of extending to that noble institution the same generous support, which is accorded to the Prison Association of New York by the liberal and philanthropic citizens of this great metropolis.

All of which is respectfully submitted.

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, July 15, 1863.

2. THE PROVINCIAL PENITENTIARY, UPPER CANADA.

On Wednesday, the 29th day of July, 1863, I visited and examined, as thoroughly as the limited time at my command would permit, the provincial penitentiary of Upper Canada, situated two miles west of the city of Kingston, at the foot of lake Ontario. The warden of the prison, Mr. D. A. Macdonell, was exceedingly polite, affording me every requisite facility for the accomplishment of my mission. He detailed the intelligent and gentlemanly storekeeper of the penitentiary, Mr. James J. Whitehead, to accompany me through every part of the prison, and directed him to request the officers in charge of the several departments to throw everything open to my inspection, and to afford all desired information touching the arrangements and operations subject to their control. Mr. Macdonell himself, Mr. Whitehead, and indeed all the different officials with whom I came in contact, answered with the utmost courtesy, the numerous interrogatories, which were put to them in relation to the matters connected with the constitution and administration of the prison, for all which acts of kindness I desire to convey to them my most cordial thanks.

The Provincial Penitentiary claimed to be the model Prison of the Continent.

The Canadians claim that the penitentiary at Kingston is the model prison of the continent; and, indeed, they extend the claim, I believe, beyond that limit, making it co-extensive with the boundaries of civilized life. Without exactly conceding so broad a claim, I freely admit that the said prison is, in some respects, a model institution, and that it may be studied with advantage even by the wisest and most experienced penologists.

The Prison wall and Buildings.

The exterior wall of the prison is a parallelogram in form, extending from the highway to the lake, and enclosing an extent of ten acres of ground, on which are erected the numerous buildings of which the prison is composed. This wall is twenty feet in height, and three feet in thickness, from the base to the top. The wall and all the buildings of the penitentiary are of hewn stone, of a dark grey color, and very hard. The whole, with the exception of the first edifice erected, is the workmanship of the convicts themselves. The masonry is of the very best quality, and the entire structure is massive, solid, and enduring, in a very high degree. A round tower graces each angle of the exterior wall, and the gateway in front, which is of the Doric order of architecture, is an imposing and beautiful structure. A good idea of the security of the prison is afforded by the fact that but two escapes have been effected during the fifteen years' administration of the present warden. The main edifice is built in the form of a cross, with a spacious rotunda in the centre, surmounted by a handsome dome, and four wings at right angles to each other opening into the rotunda. One of these wings contains the residence of the warden and the various offices of the prison; the other three contain the cells of the male convicts, 840 in number. In each wing are two ranges of cells, with five tiers, rising one above another, their being 28 cells in each tier, equal to 280 in all. The corridors are between the ranges of cells, instead of encircling them, as is usual in prisons of the congregate order. The doors of the cells are thus made to face each other, and there is a window in each looking out into the prison yard, in my judgment a bad arrangement. It would naturally be inferred from the above description, that the prisoners can see each other through the grated doors of their cells. This, however, is not the case, there is an obstruction preventing it. A double wall rises in the centre of the corridor, with a passage between its two sides, just wide enough to admit a man. In this wall, on either side of the passage and directly opposite the door of each cell, is a peephole, from which a person may have a full view of the interior of the cell, without being himself exposed to the observation of the prison. This struck me as an admirable contrivance, since it can hardly fail to contribute essentially to the maintenance of the discipline and good order of the institution.

Government of the Penitentiary—Prison System of Canada.

The Provincial Penitentiary is under the direction and government of a board of five inspectors; which body, under the title of "Inspectors of Asylums, Prisons, &c.," has the oversight and control of the whole penal, reformatory, and eleemosynary system of Upper and Lower Canada, so far as the last named department comes within the purview of the government. It is made the duty of the gentlemen composing this board, to visit, quarterly, in a body, the Provincial Penitentiary, the lunatic asylums, and I believe, the two reformatories (corresponding to our houses of refuge); and also to visit, individually, from time to time, these same institutions; and still further, to visit and thoroughly examine, either singly or together, at least twice each year, every one of the common jails in both the provinces. The board of inspectors has a general oversight of all new erections for jail purposes and all alterations to be made in old jails; and nothing can be done by the local authorities in either of these directions, except upon plans previously submitted to the board, and approved by it. The duties of the inspectors, as it regards common jails, are fourfold, viz.: 1. To inspect each jail in use, at least twice every year. 2. To approve of plans of new jails. 3. To determine what alterations and additions are necessary in the jails erected, or in course of erection, throughout the two provinces. 4. To frame rules and regulations for the government of the said jails. The board is required to make an annual report of their doings to the Governor General; and each member is, in like manner, required to make to the board itself, a report of his individual labors. I have turned aside from the main design and current of this paper to give this brief view of the constitution and functions of the official body charged with the administration of the penal institutions of Canada, both because I conceived that such an exhibition would be interesting to the officers and members of the Prison Association, and because the organization seemed to me admirable in itself, as tending to secure homogeneity in the prison system of the country, uniformity, or at least harmony, in the plans and arrangements of prison erections, and wisdom and efficiency in the administration of prison discipline. I now return from this digression to the main purpose which I have in view, viz., to give the results of my observations and inquiries touching the Provincial Penitentiary at Kingston.

Prison Statistics.

The number of male convicts in the prison at the present time is 624; of females, 66. These numbers do not vary materially from the general average of the prisoners confined in the penitentiary. The average duration of sentences here is a fraction over three years; say $3\frac{1}{2}$ years. One convict, Antoine Deloque, is under sentence for 29 years, on fourteen distinct indentments for theft, having been, previously, in the penitentiary at three different periods. On glancing over the return of offences, for which the prisoners have been sentenced, one is struck with the large proportion of crimes of an atrocious character, which have been committed by these lawless men. Murder, arson, rape, burglary, and brutal attempts at violence, outrageous and grievous bodily injuries, are of appalling frequency. The catalogue is enough to excite a feeling of horror in every mind. The recommitments are about 15 per cent. Four-sevenths of the whole number, or nearly 57 per cent., are of the age of 30 years, or under.

Industrial Occupations.

The several branches of labor carried on in the prison, are shoemaking, cabinet making, quarrying, stone cutting, masonry, carpentering, painting, tinsmithing, blacksmithing, tailoring, oakum picking, farming, and the various branches of hospital and domestic service. Only the two industries first named are conducted upon the contract system. Nearly one half the convicts (say 300) work at boot and shoemaking, turning out from 4,000 to 5,000 pairs per month, equal to more than 50,000 per annum. Something less than a hundred prisoners are engaged upon the manufacture of cabinet work. It has already been stated that all the structures composing the prison, save one, are the work of convicts. I have now to add the statement, that one of the most extensive, superb and massive edifices on the continent, the Rockwood Criminal Lunatic Asylum, three-fourths of a mile distant from the penitentiary, has been, for the last half dozen years, in process of construction by the sole labor of the convicts of this prison. A gang of seventy to eighty men—quarriers, stonemasons, masons, carpenters, &c.—are kept constantly at work on this building during the season suitable for active operations. The 690 convicts perform, on an average, each within a fraction of 300 day's work, equal to a

little more than 200,000 in the aggregate, per annum. Taking into the account all the work done for the prison itself, and for the Government on the Rockwood asylum, it is estimated that the institution is nearly or quite self-sustaining. This is, in itself, a satisfactory result; for, although the productiveness of convict labor should never be made a primary consideration in the conduct of a penal institution, since, to make it so, many things of unspeakably greater importance to society would have to be sacrificed, yet a wise economy should ever govern those who have the management of such institutions, and as large a profit should be secured as is consistent with the higher ends to be aimed at, so that the public, who bear the burden, may be as lightly taxed in this behalf as possible. Agriculture has been mentioned as one of the branches of industry pursued by the convicts. A farm of considerable extent is worked by them. This field labor is attended with a two-fold benefit; first, it supplies the establishment with a large amount of fresh and wholesome produce for daily consumption as rations; and, secondly, which is its chief advantage, it is an important means of improving the sanitary condition of the prisoners, both by toning up the physical system, and by arresting the progress of disease, occasioned by confinement within the prison walls.

Expenses of the Prison.

The annual expenses of the penitentiary proper, are a little rising \$90,000, distributed as follows (in round numbers): salaries, \$36,000; provisions, \$28,000; fuel, \$5,000; clothing for prison use, \$14,000; clothing for discharged convicts, \$1,000; bedding, \$3,000; hospital, \$1,000; kitchen furniture, \$500; oil, soap and candles, \$1,000; stable, \$1,500; convicts' travelling allowance, \$500; library, \$300; stationery, \$400; tools for convicts, \$100.

Sanitary Condition.

The health of the prisoners in the Kingston penitentiary does not come up to the average standard of our State prisons at Sing Sing, Auburn and Dannemora, and falls very far below that of the last mentioned of these institutions. The average of deaths in our three prisons, for a series of three consecutive years, was a fraction less than 1 per cent; while that of the Canada prison, during the same years, was $2\frac{1}{2}$ per cent; showing a difference of more than two to one against the latter and in favor of the

former. This difference is very marked, and deserves an attentive study. Mr. Taché, one of the inspectors, in his report to the board, for 1860, frankly admits that the sanitary condition of the Provincial Penitentiary is not good. Yet, certainly, the situation of the prison, which is directly upon the shore of Lake Ontario and is washed by its waters, *ought* to be healthy. The health of the village of Portsmouth, lying contiguous to the penitentiary, is said to be excellent, and so also is that of all the employees of the institution, living within and immediately around the prison. The causes of the imperfect sanitary condition of the institution must, therefore, be sought in circumstances connected with the internal arrangements and regime established in it. These causes may, most probably, be found in the want of adequate ventilation, in the small quantity of vegetable food heretofore allowed to the prisoners, in the deficiency of conveniences for bathing, and in the drying of linen in the dormitories, which was formerly practised. Mr. Taché adds to this catalogue the probable effect of what he considers the extreme strictness of the discipline established in this institution, which he regards as a cause of mental depression, and as calculated, through the depression thus induced, to produce a tendency to disease among the inmates. I doubt whether there is much in this suggestion. The other causes, which are more tangible and certainly far more appreciable in their operation, are probably sufficient to account for the result. These causes have, within the past two years, been, to a considerable extent, removed, particularly defective ventilation and diet; and an improved condition of the general health of the inmates is the consequence. An epidemic disease, however, typhoid fever, broke out in the prison the latter part of last year, and carried off fifteen convicts by death. The present hygienic condition of the penitentiary is considered excellent. The more common diseases of the prison are consumption, scrofula, and venereal; masturbation, the bane of all prisons, is here also a prolific source of disease.

The Hospital.

The penitentiary hospital is a model one of its kind; the only difficulty being that it is not large enough for the number of patients, who are frequently under treatment in the prison. It consists of a block of (I think) 36 cells, large, clean, well ventilated, and perfectly sweet. This department of the prison may indeed be described as admirable in all its appointments.

The Prison Dietary.

The bill of fare for the prisoners seems to be, at the present time, abundant and wholesome. For breakfast, they have coffee, a pound of bread, and a quarter of a pound of meat; for dinner, soup, bread, fresh beef or salt pork, potatoes, and sometimes other vegetables; for supper, bread and molasses.

Water and Cleanliness.

Heretofore the supply of water for this prison has been very scanty. Within the past year, however, a more abundant supply has been secured. A public bath has been provided for the male convicts, in which a dozen or more can bathe at the same time. Cold water only can at present be let into the reservoir; but it is in contemplation to make arrangements to supply hot water as well. As this whole department is quite new, the programme for bathing has not yet been fixed. Separate bath rooms and tubs are provided for the female prisoners, and they bathe regularly once a week.

Bedding.

The beds of the prisoners are not provided with sheets or pillow cases. Only blankets and comfortables are furnished.

Clothing of the Prisoners.

The clothing of the male convicts is a flannel shirt and drawers, and a roundabout and pants, made of coarse woolen cloth, in winter, and the same made of a cotton fabric in summer. The right and left sides of each garment, and also of their caps, are of different colors. Such part of their clothing as requires washing is washed weekly.

The Cells.

There are (as already mentioned) 840 cells for males, and nearly 100 for females. They are quite small, being only 8 feet in length, and 2½ feet in width. When the bed is let down, it completely fills up the space between the two walls.

Ventilation.

There is no ventilation, except through the grated doors and windows; but the ventilation is, nevertheless, better than would naturally be supposed, as the windows open upon the prison yard.

Heating and Lighting.

The cells are heated by stoves in the halls, and lighted at night by coal oil lamps, hung on the walls of the same.

The Prison Staff.

The police force of the prison consists of the warden, deputy warden, 10 overseers, 1 matron, 2 assistant matrons, and 49 guards;—this large number of guards being made necessary by the very large number of convicts employed at the Rockwood Lunatic Asylum and other outdoor occupations. The other officers of the penitentiary are a surgeon, two chaplains, two clerks, a school-master, a store-keeper, a master builder, a kitchen-keeper, and two messengers.

Discipline of the Prison.

The discipline is administered with extreme strictness, not to say rigor. Mr. Macdonnell, the warden, in whom energy and humanity seem to be admirably blended, says that an experience of more than thirteen years has convinced him, that if convicts are not obedient, they should be forced to be so; that they must be kept in their places, and their sentence to hard labor faithfully carried out; and that whatever persons, not experienced in the management of such a class of human beings as compose our prison populations, may think, he is quite satisfied that the discipline of the Provincial Penitentiary is not too stringent to secure the ends in view,—good conduct and obedience. He says that the means at his command for restraining vicious and ill-disposed convicts are not sufficient, without a resort to corporal punishment, which he finds in most cases effectual; but he admits that such punishment should be employed only when all other modes have been tried and failed. He seems to be fully of accord with Mr. Baum, of the Syracuse penitentiary, that half subduing a convict does him no good, and, in general, that halfway measures are unavailing and worse than useless.

The punishments employed in this prison are admonition, extra labor, deprivation of bed, a diet of bread and water, confinement in ordinary cell, confinement in dark cell, hampering with a chain, the switch (used in punishing boys), and the "cat." The shower bath and iron yoke were formerly used, but have been discontinued by order of the Inspectors. Mr. Macdonnell thinks them "extraordinary modes of punishment, and far more objectionable than the cat." The following statement relates to the male prison only: 26 convicts were punished with the cat, receiving a total of 670 lashes, being an average of nearly 28; 3 were punished with a switch, receiving 35 cuts; 11 were hampered with a chain;

there were 210 imprisonments in dark cell, and 727 deprivations of bed; one meal of bread and water was given to 35 convicts; two to 192; three to 372; four to 735; five to 562; six to 151; eight to 21; ten to 12; twelve to 1, and eighteen to 1; making a total of 8,361 meals of bread and water given to the male prisoners during the year. The punishments by bread and water, and confinements in dark cell or deprivation, of bed are usually combined. In the female department of the prison, 171 received admonitions; 99 were required to do extra work; 1 was hampered with a chain, and her hair cropped; 31 were confined in dark cell; 94 were deprived of bed one night; 53 two nights; 8 three nights, and 1 four nights. The total number of violations of prison rules by the female convicts during the year was 515.

Libraries.

There are two libraries in the prison for the use of the convicts, one secular and the other religious. Each contains a few hundred volumes, but neither is as large as it should be. A small amount (which ought to be made larger) is appropriated annually by the Inspectors for the purchase of books. Reading is a great resource for prisoners, and a most important agency in their reformation.

Secular Instruction.

The provision for the secular instruction of the convicts who need it in this prison is worthy of admiration. A teacher is employed, who gives his whole time to the work, and is, moreover, aided by six assistants, selected from the educated and well conducted convicts, whose co-operation in this labor he finds to be of essential service, and who, under his direction and superintendence, instruct the classes assigned them, to his entire satisfaction. The present incumbent in this department is Mr. James T. Gardiner, a competent, zealous and worthy gentleman, who has discharged the duties of prison school master for a period of twelve years. With the exception of thirteen, who are incapable of profiting by school lessons, through defective sight, deafness, mental imbecility, or other infirmity, all the convicts who need instruction in reading, writing or arithmetic, attend school. There are four distinct classes, whose members come under instruction in the course of the day, viz.: A morning class, commencing at six o'clock in summer, and 7½ in winter, and closing at nine; a noon class, commencing at 12½ and closing

at one; an afternoon class, commencing at one and closing at three; and an evening class, from 6 to 7½ in summer, and from 5 to 7 in winter. The noon class, which is the largest, numbering 60 or more, is composed of convicts who are engaged on contract labor, and who devote to lesson learning one-half the time allowed for the midday meal. The evening class is made of prisoners who work on the Rockwood Asylum, at the quarry, and other outdoor labor. Between 200 and 300 convicts are in this manner brought under daily instruction for a period varying from half an hour to three hours. Mr. Gardiner affirms that these ignorant and degraded beings, though he is alone and unarmed in the midst of them, observe, during school hours, the strictest order and decorum; that they prize very highly the opportunities afforded them; that their desire for instruction increases in proportion as it is gratified; and that, in short, they apply themselves to study with a zeal worthy of better members of society, and with a success fully equal to that attained by the generality of pupils in other schools. I cannot close this part of my report without an expression of my admiration of the cheerful self-denial, diligence, zeal and fidelity with which Mr. Gardiner performs the incessant and very arduous duties of his office. In addition to spending about eight hours a day in the business of instruction, he collects and re-distributes monthly, all the library books, itself no inconsiderable labor, as an exact account of them must be kept: reads to the convicts all the French and German letters received by them, amounting to hundreds annually; and writes the answers to them, whenever they get permission from the warden to reply. He says that he very often leaves the institution at night perfectly exhausted; but that, nevertheless, the consciousness of ministering to the intellectual improvement of so many ignorant fellow beings, who never had, and never will have, any other chance of acquiring even the simplest elements of education, renders the task of teaching them, laborious as it is, not merely tolerable, but delightful.

Religious Instruction.

But if the educational department of this prison has a model school master in Mr. Gardiner, the religious department can equally boast the possession of a model chaplain in the Rev. Hannibal Mulkins. The penitentiary, like all other humane institutions in Canada, has two chaplains, a Roman Catholic priest

to minister to the catholic population of the prison, and a Protestant pastor to care for the spiritual interests of the protestant convicts. Of the plans and labors of the former, I know too little to speak with any degree of confidence; while, of the untiring industry and self-sacrificing devotion of the latter, and the consequent vast amount of work done by him, I can speak only in terms of admiring commendation. Mr. Mulkins has been for more than twelve years discharging the duties of chaplain in this prison. He holds that the great mission of penitentiaries is to improve the mental and moral condition of their inmates, to implant in their souls the seeds and the love of virtue, to supply them with motives to a better life, and to animate them with higher, purer, and more godly hopes. And, truly, for the State to take these children of many races, these outcasts of many nations, these delinquents of many creeds, often diseased in body and always disordered in mind, ignorant in all things, but especially ignorant of religion, vitiated, depraved, fallen, and stained with guilt, and to seek, by wise and patient efforts, to overcome their ignorance, to repress their evil nature, to impart habits of industry, to place continually before their minds the religion of the bible, and to surround them with agencies and influences adapted to make them wiser and better men,—this is a purpose and a labor whose grandeur and nobility it would be difficult to exaggerate. An observation and experience, extending through many years, have convinced Mr. Mulkins, as he avers, that this exalted design, the noblest certainly that a State can entertain towards its fallen and offending children, may, in a great degree, be accomplished, only, however, in proportion as it is acknowledged to be the chief object of imprisonment, and all other things are made both subordinate and subservient to it.

The agencies, mainly employed and relied upon by Mr. Mulkins in his work, are the following. A copy of the holy scriptures and some devotional books are placed in the hands of every convict who can read. The convicts attend a daily service in the chapel, where a portion of scripture is read, confession of sin made, and prayer offered up to God for their forgiveness and salvation. Two public religious services are held on the Lord's day, and one in the middle of the week, at each of which a sermon is preached. At none of these services is there any singing, which, in my opinion, is a radical defect, and very greatly abridges their utility. Several religious tracts and one religious

book are given to every protestant convict monthly. These books and tracts are much read by the prisoners. Besides which many of them have read the bible several times through; others once, and others still, only portions of it. Some have committed to memory entire books of the bible, and others whole chapters. Some can repeat many of the Psalms, some the entire litany and most of the morning prayers, and scores have learned by heart the whole catechism. The convicts are also taught short prayers, that they may offer them up, night and morning, privately in their cells.

Much attention is paid to the spiritual improvement of the convict women. They spend a part of each day in reading religious books. They read portions of the word of God once a day, and have religious worship twice a day. They attend the two religious services of the sabbath, and once during the week are visited, exhorted, and prayed with by a religious woman. Indeed, no available means seem neglected to reclaim and reform these fallen daughters of Eve. Of 54 protestant women under the pastoral instruction of the chaplain during the year, 47 learned the catechism by heart; 22, Watts' hymns for children; 11, the Sunday school hymns; 10, the litany; 15, the church of England collects.

In giving personal religious instruction to the convicts, Mr. Mulkins is indefatigable. He sends for each protestant convict under his care once a month; talks with him privately; teaches him his catechism; becomes acquainted with his religious state; gives him such advice as seems suited to his case; exhorts and encourages him to reform; shows him that the object of the institution is to convert the sinner from the error of his way; explains to him his special duties as a convict, as well as his general duties as a man; seeks to remove irritation from his mind; learns the best mode of reaching his heart; and at the close of the interview, makes a record of it in a book kept for the purpose. As all this is done each month, both to the male and female convicts, it requires the chaplain to see in this way more than thirty every day. Besides this, he visits the sick to converse and pray with them much more frequently; always weekly, often daily. I do not wonder, no one can wonder, at a remark made by him, that it is too much labor for one man. Yet he is cheered and sustained by knowing how much his labor of love—for it is truly such—is appreciated by the convicts, and how

beneficial it is to them. There is scarcely one, he says, who is not pleased with these visits, and even those who may not be religiously improved by them, are yet softened in their tempers, and made morally better. The chaplain himself derives this benefit from them, that he knows the spiritual condition of each convict, and is thence able to adopt his public discourses and counsels to their necessities.

It has ever been the opinion of Mr. Mulkins, so he avers, that a congregation in a prison should be formed and managed much in the same way as any other congregation, and that, since religious improvement is the great end in view, its members should have the same means of grace as those of other congregations. He had, therefore, ever felt that the sacrament of the Lord's supper should be administered to such convicts as desired it, and gave satisfactory evidence of being suitably prepared to receive it. He had, however, never been able to carry his views on this point into effect prior to 1860. But on Christmas day of that year, for the first time in the history of the prison, this sacrament was duly administered in the chapel to thirty-three communicants. There were many applications, more than would be imagined in a congregation of criminals, but none were admitted to the communion, except such as had been well conducted, gave evidence of true penitence, and appeared properly prepared by religious knowledge and experience.

A good idea may be obtained of the nature and extent of the chaplain's duties, as well as of the punctual and orderly manner in which he discharges them, from the following enumeration of the record books kept by him: 1. A daily journal of all items of duty done. 2. A register, in which is recorded the personal history of each convict. 3. A record of monthly religious conversations with the convicts under his charge. 4. A book of communicants, in which are recorded the monthly conversations with communicants, and with those who desire to become such. 5. An index, in which are entered, in alphabetical order, the name and number of each Protestant convict received, and all removals, as they occur. 6. A directory of the convict population, showing the cellular residence of each, and all the changes made in their intermural abodes. 7. A hospital book, in which are entered the names of the sick, and the visits made to them for religious conversation and prayer. 8. A register of the convict women, and the monthly religious conversations held with

them. 9. A catalogue of the religious library. 10. A register, in which is entered monthly the volume returned by each convict, and the volume given to each. 11. Quarterly and annual reports to the board of inspectors. From this statement, one can see what a vast amount and manifold variety of labor is performed by this devoted and faithful man; labor as useful and beneficent, as it must be tiresome and exhausting.

Upon the whole, the religious influence pervading this prison constitutes one of its most marked and pleasing characteristics. And I notice, with pleasure, the strongly religious tone running through the annual reports of the inspectors. These gentlemen hold the opinion, decidedly, that all measures for reformation will prove ineffectual, except such as are based upon religion, and go hand and hand with it. They hold it to be useless to multiply punishments and measures of reformation, unless the heart is touched and the conscience enlightened and invigorated. It is moral discipline to which, above and before all other agencies, the inspectors direct their chief attention, and bend their most diligent efforts. They gladly and cordially cooperate with the chaplains, and do all they can to aid them in the fulfilment of their high and noble mission.

On an average, about two-thirds of the convicts attend upon the ministry of the Protestant chaplain, and the remaining third upon that of the Roman Catholic chaplain. Each has a chapel, appropriately fitted up in accordance with the ritualistic usages of his own church, and having seats for the women separate and apart from those of the men. The chaplains are expected to be present daily in their respective offices, to give attention to the spiritual wants of the convicts severally under their charge. They may summon any prisoner at any hour of the day for the purpose of holding religious conversation with him. It is their duty to give special attention to the sick.

Correspondence.

The prisoners are allowed to correspond with their friends, writing once every two or three months, or getting the school-master or one of the chaplains to write for them. They may also occasionally receive visits from their friends, the interviews being always held in the presence of an officer.

Causes of Crime.

Mr. Macdonell, the warden, in reply to a question, attributed the great mass of crime, for which convicts are committed to

this prison, to liquor and idleness; in other words, to intemperance and the want of a trade.

Money given to Convicts on their Discharge.

The money given to prisoners on their discharge varies according to the distance each may have to travel. The amount is at the discretion of the warden, within the limit, I think, of ten dollars.

Length of Sentences.

The average length of sentences in this prison is about three years, perhaps a little over.

Overwork: Teaching a Trade.

Prisoners may work overtime here, and a few do so, but they have no special incentive to such extra exertion, as they derive no pecuniary benefit from it. It does not appear to be made a point in this institution, as unlappily it is not in our New York penal establishments to teach the inmates a trade. In the Eastern Penitentiary, at Philadelphia, this is done in the case of almost every convict, and the fact constitutes, in my judgment, one of the chief advantages of the separate system of imprisonment. The way to lessen crime is to remove its causes. One prevailing cause is want, itself the effect in numerous instances, of the difficulty of finding employment, and this difficulty again, has a well known source. Nothing is more certain than that criminals are recruited chiefly from that class of persons who have no regular business, that is, who have never learned a trade. Now, to teach a criminal a trade is to place him, in nine cases out of ten, above want. Nothing, therefore, can be more desirable than to impart to all the inmates of our prisons mechanical knowledge and skill. Its direct tendency is to check crime, and reclaim the criminal. Make a convict a good mechanic, and, as a general thing, you will make him an honest man. Besides, the moral effect of all this, its reformatory influence, cannot be otherwise than good and wholesome. A convict, engaged in learning a trade, and conscious that he is becoming master of its mysteries, feels that he is doing something for himself; that even from the stand-point of self-interest, his labor is not thrown away; that in short, he is receiving an equivalent for the time spent within the prison walls. As a consequence, he is filled with hope; he is in a better temper; his spirits are cheerful and buoyant,

and he is far more likely to be morally improved by his incarceration.

Female Department.

The female department of the Provincial Penitentiary deserves some special notice, before closing this report. Under the able administration of the matron, Mrs. Martha Walker, and her two assistant matrons, it seems to be fulfilling, very effectively, the appropriate functions of such an institution. The female convicts are, in general, employed at shoe-binding, sewing, knitting, and the ordinary labor incident to their department of the prison. Cleanliness, neatness, good order, and quiet industry prevail to a surprising degree, considering the class of persons who compose the population to be dealt with and governed. The women are kept constantly busy, during the hours of labor, at their various industrial pursuits. They are not kept always at one thing, but interchange their employments, so that all learn to bind shoes, to knit, to sew, to make and mend all kinds of men's and women's garments, to wash, iron, and cook. In these several branches of work, all have made more or less progress, and some have become skillful. Thus do they acquire the ability, if only the disposition be not wanting, to earn an honest living after their discharge. Their labor is even now remunerative. The average number of female convicts during the last year was 76, and their earnings amounted to \$3,400, or \$45 each. And in this is not included any of the work done for their own department of the prison.

All which is respectfully submitted.

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Corresponding Secretary.

46 BIBLE HOUSE, NEW YORK, September 15, 1863.

(F.)

THE SOURCES OF CRIME.

BY THE CORRESPONDING SECRETARY.

—(E. C. Wine)

[The following paper was prepared and published as an article in the October number of the American & Theological Review. By permission of the proprietors of that work, it is reprinted as one of the documents of this our annual report.]

An examination of the eighteen annual reports of the New York Prison Association, has produced in our minds a profound conviction of the excellence of this organization, and of the importance and value of its labors. These reports not only show a vast amount of work done, and well done, but they embody many able and luminous discussions of questions connected with crimes and their punishment, with prison discipline and prison reform, and with the treatment of criminals, both while undergoing the penalty of the law and subsequently to their discharge.

Prominent among the discussions to which we refer, we place those which relate to the sources of crime. Numerous and valuable hints on this subject are scattered through these reports; but in the fourth and tenth we find two extended and elaborate essays upon the question. They are in the form of letters, addressed to the corresponding secretary of the association by the Hon. John Stanton Gould, one of its vice presidents. We propose to make these essays the basis of the present paper, condensing within the limits of a single article the great mass of facts and suggestions which Mr. Gould has embodied in his inquiries; not, however, to the exclusion of other facts and arguments, drawn from the remaining portions of the Society's reports, as well as from independent sources.

Before entering upon the direct inquiry into the sources of crime, we offer a preliminary explanation of the term.

Crime, then, we take to be such a violation of the rights of others as is cognizable by human laws and punishable by human tribunals. It is any conduct which is liable to judicial investigation and punishment at the hands of the civil authorities. It is by no means uncommon for crime, in the popular apprehension and dialect, to be confounded with vice and sin. It will make our path of inquiry clearer, and the results more valuable, if we can succeed in discriminating wisely and defining accurately the meaning of these several terms. According to the strict etymological derivation of the words, crime is that which is punishable; vice, that which ought to be avoided; sin, that which is hurtful. Crime is injurious to the rights of others, violates human enactments, and may be punished by the laws of the land. Vice is injurious to ourselves, and ought, on that account, to be avoided. Sin has its seat in the heart, violates the divine law, and, by a reflex action, is in the highest degree hurtful to ourselves. Murder is a *crime*, because it invades the rights of the murdered person, violates human laws, and may be punished by human governments. Opium eating is a *vice*, because it is injurious to the eater, and should therefore be shunned by him. Ingratitude is a *sin*, because it has its seat in the heart, is a breach of the law of God, and hurts him who is guilty of it by drawing upon himself the divine displeasure: sin, accordingly, is a generic term, embracing every form of guilt, and including, as species, both vice and crime. Every crime, every vice, is a sin; but every sin is by no means either a vice or a crime. It is the province of the theologian to investigate the nature and remedy of sin; of the moralist to trace out the causes and cure of vice; and of the legislator to provide for the punishment and prevention of crime.

While, therefore, we freely admit and even contend, that the purification of the heart is a work which belongs only and wholly to God, we nevertheless maintain that crime may be, to a great extent, suppressed by the conjoint efforts of government and people, wisely, vigorously, and perseveringly put forth. In making the assertion, that it is within the ability and is the duty of the legislator, to prevent the commission of crime, we invest him with no attribute of Deity, nor any power over the hearts and consciences of men. Let it be remembered that crimes are, properly speaking, only those violations of public or private rights which are susceptible of accurate definition and of clear and

undoubted proof; and all theological difficulty vanishes. We may conceive crime to have been entirely suppressed in a given community, while the aggregate of sin shall have been augmented; and, conversely, that the number of crimes may have increased, while there shall have been a general growth in holiness among the masses of the people.

Crime is one of several channels through which the sins of the heart make themselves seen and felt. Sin develops itself generally through this channel, when moved upon by certain external causes. These external causes being, to a considerable extent at least, under the control of the legislator, he may, by arresting them, prevent the crimes to which, without such arrest, they would be sure to give rise.

Having thus endeavored to clear the question of ambiguity, we proceed to inquire into the causes which move men to act out the natural and inborn depravity of their hearts by the commission of crimes.

Grog Shops are a Source of Crime.

That establishments for the sale of intoxicating drinks are nurseries of crime, is now generally conceded. Even those who keep such establishments admit the fact. The only justification which they attempt, is the allegation that men are so in love with intoxicating drinks, that they will get them in some way; if not openly, then secretly; if not legally, then illegally. And they allege that, great as the mischiefs are which flow from the legalized vending of such drinks, yet, upon the whole, greater mischiefs would be caused by the illicit sale of them. Since, then, the very dealers in liquors admit the tendency of the traffic to produce crime, there need be no fear of a denial of it from any other quarter.

It is certain that the convicts in our State prisons, penitentiaries, and county jails, with singular unanimity, ascribe to the use of intoxicating drinks the crimes, of which they are there suffering the penalty. "If it had not been for the grog shops, I should never have been here," is the stereotyped complaint (says Mr. Gould), which issues from almost every cell, and swells, in melancholy chorus, through all the corridors of our prisons.

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 1707 persons, of whom 433 were arrested in a

state of intoxication, and 1,300 were known to be of intemperate habits. In 1851 and 1852, 1,125 prisoners were sentenced to the Albany penitentiary. Of these only 112 claimed that they were temperate; the remaining 1,013 were notoriously intemperate.

Mr. Gould makes a statement, from his own personal observation, most significant and astounding. He says that he has visited most of the prisons in the United States, some of them frequently; that he has had much personal conference with the prisoners; and yet that he has not found more than 20, who did not acknowledge that they had been frequenters of dram shops and in a greater or less degree, addicted to the use of strong drink.

In 1850, there were five persons lying under sentence of death, in the prisons of Connecticut, for murders committed in a state of intoxication; and while these five were awaiting their execution, a sixth murder was committed from the same cause. In 1851, of 158 convicts confined in the Connecticut State Prison, 134 were habitual drinkers of ardent spirits.

In 1856, a committee of the Senate of New York visited and examined all the county jails of the State, 60 in number. Their report throws much light on our present subject of inquiry—intemperance as a source of crime. In regard to 11 of the jails, no statement as to the drinking habits of their inmates is made by the committee. In reference to 5 others, it is stated that all the inmates were of intemperate habits. Of the remaining 47, an average of at least three-fourths of the prisoners were, by their own admission, intemperate. And it would be safe to assume that a large proportion of those who claim to be temperate, are in reality intemperate; Mr. Gould thinks at least two-thirds. Assuming this to be a correct estimate, the true proportion of intemperate prisoners in the jails of New York, in 1856, would be eleven-twelfths, instead of three-fourths, as stated by the Senatorial committee.

Of 361 persons committed in 1850 to the jail of Providence, R. I., 282 (more than three-fourths) were intemperate. Of 962 prisoners received into the Eastern Penitentiary of Pennsylvania, 745 (still more than three-fourths) were addicted to intoxication. Out of 975 prisoners received at Auburn prison, 736 (over three-fourths as before) were drunkards; 219 were moderate drinkers (their own notions of moderation being the standard); and only 20 claimed to be total abstinent; while 589 (considerably more than one half) were under the influence of strong drink at the

time of committing the crimes for which they were sentenced; and 367 had intemperate parents, one or both.

According to the police records of France, 1129 murders were committed in that country during four years; of which 446 (more than a third) were perpetrated amidst drunken brawls at taverns.

Let us now look at the proof in another form. In 1850, there were 60,000 drunkards in the State of New York; of which number, 3912 were convicted of crime. There were at the same time 2,540,000 persons in the State, who were not drunkards; and of this number, 3690 were convicted of violating the laws. These are astonishing facts. One drunkard out of every 15 is convicted of a breach of law, while only one sober man out of every 661 is guilty of a like breach. More crimes by 222 were committed by the 60,000 intemperate than by the 2,540,000 temperate inhabitants of the State. Nothing could more clearly evince the active agency of intemperance in the production of crime.

Still another form of proof. The number of taverns and grog shops in any given territory of considerable extent will be found to be a pretty fair index of the relative amount of crime committed in that district. In the ten counties of New York, where crime most abounds, there is one grog shop to every 240 inhabitants; whereas, in the ten counties, where the fewest crimes are committed, there is only one groggery to every 396 of the population. Again in the second ten worst counties, the grog shops are one to 292 inhabitants; in the second ten best counties, they are one to 341. Here, then, in these four divisions of the State, the relative number of grog shops is a perfect barometer of the relative amount of crime committed in each. The results, thus indicated, are another demonstrative proof of the influence of intemperance in impelling its victims to an open violation of the laws of the land.

The proofs, thus far exhibited, show very clearly that intemperance tends to produce crime. Let us now advance a step in the argument, and inquire whether, conversely, temperance has any tendency to diminish crime.

The great Washingtonian movement for the reformation of inebriates, which began in 1842 and continued with no little vigor for a number of years, is fresh in the recollection of the public. A marked revolution took place about that time in the drinking usages of society. Numbers of inebriates were reform-

ed; moderate drinkers became total abstainers; intoxicating drinks were, to a considerable extent, banished from the field, the work-shop, and the drawing-room; and the motto "touch not, taste not," was inscribed upon a large proportion of the dwellings of our land. This revolution soon began to make itself strikingly manifest in the diminution of crime. The average number of convicts in the State prison of Maine had been for several years previously, 80; the average number for several years subsequently was less than 60. Thus it appears that the number of prisoners diminished a full fourth, while, according to the census, the population of the State had increased one fourth; making the real diminution of crime as the result of increased temperance fifty per cent. In Vermont the effect of the revolution in diminishing commitments and convictions was still more marked. The statistics of the eastern penitentiary at Philadelphia show a considerable falling off in the number of convicts; there having been, for the six years preceding 1842, on an average, 387, but for the three years following, 328; while the population of Pennsylvania had increased, within that time, nearly one third. As early as 1831, the number of prisoners in the State prison at Sing Sing had reached 1000 and upwards; and the inspectors estimated that thereafter it would mount up to 1200; instead of which, after the inauguration and vigorous prosecution of the temperance reform, and, beyond a doubt, as a consequence of that reform, the number fell to 763, notwithstanding a vast increase in the population of both the State and city of New York. These facts show conclusively that, while intemperance is a powerful agent in producing crime, temperance tends no less powerfully to diminish it.

Results of a like character have occurred on the other side of the water. In 1849, an act of parliament, requiring public houses to be closed from 12 o'clock on Saturday night to 12½ o'clock on Sunday night, went into operation. In the city of Bristol, the average annual arrests during the three years prior to that date were 4063, for the three years subsequent thereto, 2903; in the city of Manchester, for the three years before the act, 3609—for the three years after the act, 1950; and in the city of Leeds, 423 before, and 341 after, for the same number of years. The average diminution of crime for the three places was over 30 per cent; while, for the city of Manchester, it was nearly 50 per cent.

Under the operation of the Maine law, that is, of the principle of an absolute prohibition of the traffic in intoxicating liquors, in the few States where the authorities have been able to enforce it, scores of jails and poorhouses have been emptied of their inmates. The prohibitory law went into effect in Maine in the spring of 1851. In Portland, at the March term of the police court for 1851, 17 indictments were found; at the same term for 1852, but 1 indictment was found, and that was the result of a malicious prosecution. During the nine months prior to the date when the law went into operation, 279 persons were committed to the jail of Portland; during the nine months subsequent to that date, deducting 72 liquor dealers, there were but 63, a diminution of nearly three fourths in the short space of nine months. And everywhere similar results have occurred, under a real enforcement of the law.

But a question of no little importance is here suggested which we will briefly consider in this connection: How drunkenness when it impels to and produces a criminal act affects the responsibility of the inebriate—his responsibility to God for the sin and to society for the crime.

An impression is widely cherished, that a man, if at all, is at least not fully responsible for what he does while he is drunk. A madman is not held responsible for his actions, and the drunken man is, for the moment, mad. It is not unnatural, nor, at first blush, altogether unreasonable, to transfer to the one madman the absence of responsibility attached to the other. How far this popular impression is correct, and how far erroneous, we will presently inquire; but the fact of its prevalence is, meanwhile, indisputable; and that, in despite of copious argument and eloquent declamation by the theologian in the pulpit, the lawyer at the bar, and the judge upon the bench; who all concur in enforcing the doctrine, that madness produced by drink in no degree lessens the criminality of a breach of law, whether human or divine. Still, the doctrine of responsibility for crimes thus committed, inculcated in its naked and absolute form, does, it cannot be denied, some violence to the understanding. On the one hand, it is hard to believe that the man who kills his wife with the poker at night and weeps tears of anguish over it in the morning, is as much guilty of murder, as if he had planned and executed the deed with all his senses about him. On the other hand, it would be fraught with infinite peril to the public morals

and the public weal to admit even the shadow of a doubt as to the full responsibility of the criminal. In this state of the case, the public, like the double-minded man, wavers in its judgments; neither thoroughly believing nor thoroughly disbelieving the responsibility of the drunken man for a crime done under the influence of drunkenness.

Nevertheless, a compromise here, by which something should be yielded to each opinion, is, in every view, wholly inadmissible. To conceive that a portion, but not the full measure, of responsibility attaches to the inebriate for his crime, is neither good philosophy nor sound policy. What, then, is the solution? We must find some principle, which will allow that the madness caused by strong drink removes responsibility as completely as any other madness, and which will yet hold the drunken perpetrator of crime guilty, to the full extent, for his evil deed, before God and man. And this principle, we think, is found in the fact that the dethronement of reason in the drunkard, which is often as complete for the time as that which exists permanently in the inmates of a lunatic asylum, is voluntary in his case, being caused by his own free choice and act. It is a self-created, self-imposed madness. This principle lifts the responsibility from the maniac without removing it from the man. It carries back the guilt, till the intelligent cause of the criminal act is reached; and it leaves it there, in all its weight and all its turpitude. If the man who in madness, has committed a crime, was once intelligent, and wilfully caused his own madness, the guilt of that crime, whatever it is, was contracted when he voluntarily and knowingly destroyed his reason. A man, under the insanity of drink, quarrels with his friend and kills him. Now, wherein lies the guilt of that homicide? Not in the act of killing, for the man was, at the moment, as mad and unintelligent as the lunatic, who is suffering under a total and permanent loss of reason; but in the fact that, being sober, intelligent, and sane, he voluntarily made himself drunk, senseless, and mad. In drinking to madness, he was not guilty of a mere indiscretion; he was guilty of his brother's blood. In the act of maddening his brain by drink, he knowingly fired a train, whose other end was dipt in murder; and, being fired, it must run, its course; he had no power to extinguish it. The soundness of this principle will be the more obvious, if we suppose the man to have been deprived of reason, not by a voluntary drinking of the poison which dethroned it, but

by a forcible pouring of it down his throat by others, against his own will and in spite of his most earnest struggles to the contrary. Let us assume that now, as before, the murder is done. But who, in this case, is the guilty party? Is it the man who, against his own remonstrance and efforts, was compelled to swallow a draught, which robbed him of his faculties, and, for the time, converted him into a maniac? Or is it the men who forced the draught into his stomach and brain? There can be but one answer to this interrogatory, He whose reason was overpowered by the draught, thus compulsorily taken, was guiltless of the murder—as much so as if his reason had been removed by the direct act of God. The guilt is theirs, who, by forcing the draught, violently took away from him, for the time being, the guiding and controlling power of reason. But if this be so, it follows, by inevitable deduction, that the guilt of a crime committed under the influence of insanity, caused by excessive drinking, lies in that excessive drinking itself, and in nothing else.

This reasoning sets in a fearful light the sin of drunkenness, even when drunkenness, is but an isolated act; much more, when it is a confirmed habit. Murder, arson, rape, and all the crimes in the calendar are wrapped up in drinking to intoxication. They are in that act seminally and essentially, even as the oak is in the acorn, and the harvest in the seed-corn. That they do not all follow every such act is owing to the good providence of God, and not to the controlling reason of the inebriate. One man staggers home, and beats his wife to death; another is borne home, too drunk even to stagger; is thrown upon the floor; and sleeps off the drunken fit. Has the latter committed a less sin in the sight of God than the former? Not if the logic of this argument be sound. Though the law, while it punishes the other, allows him to go free, yet, we verily believe that, in the eye of reason and the judgment of God, he is the more guilty of the two.

It is no uncommon thing for drunkenness to be treated with levity, and even with merriment. The view, here submitted, of the terrible responsibility inhering in it, takes away all lightness from the subject. Nothing can be more serious, nothing more awful, if our reasoning be correct, than drunkenness. It is not only a crime itself, but the mother of crimes. To it, in effect, belongs the guilt of all the crimes, which either do or might issue from it. This principle, in respect to other matters, is re-

cognized in the jurisprudence of all nations. A merchant stores powder in his warehouse for a single night, and removes it safely the following morning. If prosecuted, will the plea that his act caused no injury, though true in itself, be admitted in bar of punishment? Certainly not. He is punished for the injury which his act might have done; that is, for the risk to which he thereby subjected his neighbors. And this principle is, in ethics, if not in law, as sound when applied to drunkenness, as it is when applied to the storing of gunpowder, or to any other act, the doing of which involves risk to the community. A risk may be valued, and is every day valued, equally with the destruction of the property involved in it. Insurance against fire or disaster at sea is a familiar illustration. "If the risk to which drunkenness exposes men and things were accurately calculated, and the drunkards imprisoned or fined accordingly, prison-walls or empty pockets would soon compel them into sobriety."*

Brothels are Fountains of Crime.

This, (as Mr. Gould observes) is not a pleasant subject to discuss, but our survey would be essentially incomplete without it; and we cannot decline the discussion without a conscious dereliction of duty. Too many fathers have had their gray hairs brought with sorrow to the grave through this agency, too many mothers have been subjected by it to life-long anguish, too many families have been desolated by the monster; the evil is too widely spread, too deeply seated, too rank in its growth, and too deadly in its influence, to permit us to pass it in silence.

We find a very significant testimony as to the power of licentiousness in producing crime, in the following extract from a report of the chaplain of the Connecticut State prison, cited in the 12th Annual Report of the Boston Prison Discipline Society. "Will you please, sir, preach from this text next time?" "What text?" "This here in Hosea, 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," adds the chaplain "guessed right. Scarcely a man can be found, who was not in the habit, when at liberty, of going to those who 'put the bottle to their

* This topic is much more largely handled in an Essay on the Criminality of Drunkenness, read by the Rev. Dr. Arnott, of Scotland, before the British Association for promoting Social Science.

neighbor's 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 about five years, some 40 colored persons have been sent to this prison, who had been convicted of crime in New Haven. Nearly all of these individuals have referred to their nocturnal visits to a den of infamy kept in that city as being closely connected with the crimes for which they were convicted."

The following testimony from Dr. Francis Lieber, a member of the board of managers of the Prison Association of New York, and a gentleman of large experience in prison matters, is in point: "I have taken pains 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."

Mr. Gould adds upon this subject: "We, too, are enabled to corroborate these assertions of Dr. Lieber, by as extensive a range of inquiries at the cells of our State prisons as usually falls to the share of a single individual. We are satisfied that licentiousness is a mighty engine of the devil for the production of crime. The moral instructor in the Eastern Penitentiary at 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 425 who were willing to answer the question, were guilty of the same thing."

Mr. Gould relates the story of a fallen woman, whom he encountered in one of our penitentiary hospitals, which casts a terrific light upon the tendency of licentiousness to produce crime. She had been a woman of exquisite beauty and elegant culture. Her father, a wealthy merchant of New York, failed in business, and gave up everything to his creditors. She was reduced to the necessity of learning the trade of a dress-maker to earn her daily bread. She became a proficient in the business, and her taste and skill commanded liberal wages, which enabled her to provide

an ample wardrobe for herself. She had been intensely devoted to the glitter and gaiety of fashionable life, and hope, which "springs eternal in the human breast," whispered that a fortunate marriage might yet restore her to the charmed circles, whose delights she had once tasted, and which she longed to reënter. She used every effort, by the charms of person, dress, voice and manners, to attract the notice and win the love of eligible young men. At length, she thought she had succeeded in her object; but the young man, whose affections she dreamed that she had won, proved to be a cold-hearted villain, who was in pursuit only of amusement and gratification for the passing hour. One evening he invited her to ride. Driving into the country, he alighted at a house of refreshment in the neighborhood of the city. He offered her a glass of wine, which she drank. The liquor had been drugged. A profound stupor ensued, and she awoke the following morning to find herself ruined.

With returning consciousness, the whole magnitude of the injury burst upon her. She instantly resolved upon revenge, and the plan for its accomplishment flashed upon her mind with the suddenness and rapidity of lightning. She betrayed no emotion; she uttered no reproaches. She treated what had happened as a harmless jest, and blandly invited a continuance of the intimacy.

The young man exulted in the ease and completeness of his victory; but from that moment she became the evil genius of his life. Professing the tenderest and most unselfish affection, she drew money from him continually, with which she hired sharpers to furnish him with provocatives to drinking, gambling, and all the forms of vice and debauchery. At every rally of his better nature, by a skilful alternation of persuasion, banter and menace, she choked the rising impulse of virtue, chained him to the car of dissipation, and confirmed him in his career of vice.

Full well did she know whether all this would lead him; nor was she disappointed in her malignant expectation. Drunkenness clouded his understanding; debauchery ruined his health; and gambling reduced him to poverty. Not until this point, the goal of all her prayers and efforts, had been reached, when poverty and disease had done their work, and he was unable to procure a wretched bed or a scanty meal, except through her charity, did she wreak upon him the full measure of her vengeance. Then it was her daily delight to visit him, to load him with reproaches,

and to reveal to him, in bitter exultation, the whole scheme, so cunningly devised, and so steadily pursued, by which she had wrought his ruin. And when the closing scene drew near, she sat by his bedside, and mingled her execrations with the shrieks extorted by his dying agonies.

Nor was her vengeance even yet satisfied. Her warfare was against the whole sex, whom she regarded as accursed; and her insatiate revenge cried out for still other victims. Whenever she could fasten her fangs on a young man of genteel family, whose unclouded prospects foretold a brilliant career, she never relaxed her hold. She studied, with a keenness sharpened by experience, every point in his character,—his tastes, his passions, his hopes, his fears, whatever attracted and whatever repelled him; and then, with an almost unerring sagacity, adapting the means to the end, she seldom failed in her demoniac purpose. She claimed in this manner to have hunted down 32 young men, involving them in disgrace, crime, and ruin. Some of them had ended their days in prison, and others, hopelessly fallen, were on the road to the drunkard's and the felon's grave.

When asked whether all her sisters in infamy felt the same hatred to mankind, she replied that she thought the feeling to be general, if not universal, among them; adding that, when a woman had once fallen, she desired to revenge herself, not only on her seducer, but on all his sex; that no game was followed with greater relish than that of involving all who came within their toils in crime and its consequent punishment; that most of them could number at least two or three victims whom they had ruined, and that many of these victims went to the length of the actual commission of crime.

Now, when we remember that there are in the city of New York alone over 20,000 prostitutes, and a proportionate number in the other cities of the State, we may arrive at a proximate idea of the amount of crime in this commonwealth, which is directly caused by the vice of licentiousness.

Theatres are a Source of Crime.

Whether theatres might be so conducted as to be places of innocent recreation, or even, as some contend, schools of refinement and morality, is a question which we will not now discuss; much less do we assume to decide it. But we maintain that, as at present managed, they are schools of vice and nurseries of

crime. They operate to the production of this result both directly and indirectly; being in themselves active causes of crime, and at the same time serving as avenues to other sources of wrong doing.

Theatres tend, directly, to produce crime, by filling the minds of youth with impure thoughts, sentiments, images and principles; and by clothing vice in an attractive and virtue in a repulsive and often ludicrous garb. Actors and actresses are, with a few honorable exceptions, notorious for the looseness of their lives; and, as their society is apt to be sought by the frequenters of theatres, the latter are gradually but surely corrupted.

Theatres tend, indirectly, to produce crime, by begetting, in the minds of the young, a distaste for the pursuits of honest industry. The glitter, the radiance, the mimic kings, queens and heroes of the stage dance, like phantasmagoria, before the mental vision of the votary of the theatre. He is haunted with the memory of the brilliant revels, the obscene jests, the witty *double entendres* of the previous evening, and they disqualify him for the plodding industry required at the merchant's desk or the mechanic's bench. As the mania for the theatre grows upon its victim, he becomes neglectful of his duties, despises the homely details of every day life, loses his place or fails in business, and is cast adrift upon the world. Unable to forego his customary excitements, he still frequents the theatre, and is subject to the expenses incident upon the indulgence. But as his income has stopped, his exchequer soon becomes exhausted, and he resorts to theft, burglary, forgery, the utterance of 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 course run by numbers of those who are known as frequenters of theatres, is heard at the door of our prison cells too often to leave room for doubt upon the subject. That theatres are frequented by prostitutes, that they are supplied with bars, and that they are recognized houses of assignation, are facts which admit of no dispute. Even their apologists are obliged to admit that they are the vestibule of the grog shop and the brothel; and certainly their habitual attendants gravitate towards these places, which are but so many manufactories of crime, as naturally as the stone sinks to the bottom of the well.

Gambling Houses and Lotteries, are Sources of Crime.

Two classes of men are found in gambling houses, sharpers and their dupes. The former, having long since cast off all the restraints of virtue, make no scruple of resorting to robbery, forgery, and even murder, to recruit their finances, when exhausted. The latter are under skilful training for these crimes, and will be fully prepared for them, when their education is complete.

As with the grog shop and the theatre, there is an infatuation connected with gambling, which, fastening on its victim, robs him of the power to escape from the habit, however much he may desire to do so. It is not difficult to understand the way in which gambling operates to produce crime. It works, beyond perhaps all other vices, a paralysis of the moral powers, while it stimulates the selfish propensities to the highest pitch; so that the gambler will stake all he is worth rather than renounce this passion. In case of failure, he is compelled to resort to crime for his subsistence; at first, no doubt, reluctantly, and with no little violence to his better feelings. But familiarity inures him to its commission, and the ruined gamester, by an easy and natural transition, soon becomes an expert and daring criminal.

Such is the rationale of the influence of gambling in the production of crime. Do facts justify and sustain this reasoning? They do, to the fullest extent. Of 975 prisoners at Auburn, 317 were habitual gamblers. Of 962 convicts in the Eastern Penitentiary of Philadelphia, 19 attributed their first introduction to the paths of crime to gaming and lotteries; how many have been accelerated in their career, commenced by other causes, is not stated. Out of 156 prisoners at the State prison in Connecticut, 53 were gamblers. The chaplain of the last mentioned prison bears the following testimony on this point: "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."

Our Prisons themselves are Nurseries of Crime.

Few persons, probably are aware that the costly structures, for whose erection they have been taxed, and which they have been wont to look upon as barriers, to beat back the rushing waves of vice and crime, are themselves active agencies in producing the very evils which they were designed to repress and to eradicate. And yet, it is the opinion of those most competent to

judge, that there are few more prolific causes of crime than the one now under consideration. How can it be otherwise under the system, if system it can be called, of non-classification and promiscuous intercourse, which prevails in these institutions? The pickpocket, the burglar, the gambler, the drunkard, the vagrant, the witness, and persons charged with various offences, some justly and others unjustly, as their future trial will show; all mix and mingle together. Many a youth, locked up for his first offence, or perhaps on the groundless suspicion of wrong doing, there meets with professional thieves, who instruct him in their diabolical arts, and who, when he comes out of prison, meet him, claim acquaintance with him, introduce him to their comrades, persuade him to join their fraternity, and initiate him into a career of wickedness and crime.

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 jails of 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 old and 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 were all together." The above description, with the exception of herding men and women together, will apply to New York, and to the other States of the Union.

The British inspectors for the home district, in their first report, among the evils arising out of the indiscriminate associations prevalent in the common jails, enumerate, "Blasphemy, obscenity, demoralizing intercourse, profane jesting, instruction in crime, boasting of criminal adventures, gambling, combinations to defeat justice, concerted efforts to escape, conspiracy to effect future depredations, and many others." 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, the sugges-
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tions, and the example of more depraved and systematic criminals."

The French Minister of the Interior thus spoke to the Legislature of his country in 1840: "It is in this prison that criminals make their first appearance; from the inexperienced youth, the child even, whom a first trivial offence, and one in which he had 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 unconsciously accumulated that population of dangerous idlers, of consummate malefactors, 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 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; it develops, under the very eyes of the magistrate, the germs of future crimes."

The Inspector-General of French prisons says: "To unite in a common inclosure 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. In these places, crime is recruited, nourished, 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, and 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 says: "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 pickpockets and thieves; to dangerous combinations in villainy; and to personal degradation, which the most hardened prisoner has blushed to name."

The Prison Association of New York, referring to the contaminating influence of promiscuous prison intercourse, says: "So injurious in its consequences is the present system of imprison-

ment, 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 the present organization."

The Senatorial Committee, who inspected the jails of New York, in 1856, in their account of the Albany county jail, say: "There are found in the jail 37 men and 8 women; and it was represented to the committee that prisoners awaiting trial are frequently allowed to remain in this place for months. The character of the prisoners and the effect of such associations can be judged by the commitments, which are—1 for murder, 2 for rape, 6 for grand larceny, 4 for burglary, 1 for robbery of post office, 6 for petit larceny, 4 for misdemeanor, 3 for assault and battery, 2 for vagrancy, 1 for damages, 1 for rescuing prisoners, 7 for drunkenness, 5 for disorderly conduct, and 2 witnesses. All these had free intercourse during most of the day. It would seem that those long resident in such a place and in such company, if not lost to all hope of reformation on going in, must be ruined in morals on coming out."

It would be easy to multiply testimonies of this kind; but we forbear. Enough has been said to satisfy all that there are evils connected with the construction and administration of our common jails, which call loudly for a prompt and appropriate remedy.

In view of the pernicious influence of these prisons, it is painful to think on what large numbers that influence operates. Not less than 35,000, probably a much larger number, are every year locked up in our common jails. It is frightful to contemplate the germs of crime, which must in this way be planted in so many minds. And the horror is increased, when we consider how large a proportion of these persons are either absolutely or comparatively innocent. From 1,500 to 2,000 of them are committed, not for crime, but as witnesses against those who have, or are supposed to have, committed it. And these were confessedly innocent when committed to jail; but numerous cases are on record, some of them of a heart-rending pathos, in which persons entered jail simply to appear as witnesses on the trial of others, and came forth, after the instructions they had there received, to pursue a career of crime and infamy. But witnesses are not the only innocent prisoners exposed to the contamination of our jails. According to the testimony of ample and unquestionable statistics, nearly or quite one-half of those arrested are either

discharged without trial or acquitted by the jury; that is, they are all legally innocent of the crimes charged against them, and a large proportion no doubt really so. When we consider, in view of this statement, the thousands upon thousands of innocent persons who are every year subjected to the corrupting influence of our jails, many of whom give way under that influence, and are ruined by it, the contemplation becomes truly appalling. Surely enlightened legislators ought not, cannot, much longer overlook the crime-producing tendencies of our common jails.

Carelessness on the part of the officers of Justice in making arrests is a source of Crime.

This cause is kindred to that treated under the last head, inasmuch as it operates through recklessness or abuse in the administration of the law. The criminal statistics of the country already given show that nearly fifty per cent. of the persons arrested on a charge or suspicion of crime are either acquitted on trial or discharged without trial. It is easy to see how this wholesale system of false accusations is calculated to lead the persons who suffer from it to the commission of crime, independently of the exposure to corrupt and corrupting associations in the prisons, to which they are thereby subjected. Public accusation of crime and imprisonment in a jail tend to destroy even in the innocent, that pride of character, that feeling of self-respect, which all experience shows to be one of the most efficient safeguards against crime, and one of the most powerful incentives to virtue, especially among that class of persons from whom the ranks of crime are usually recruited. Would you make a child a liar? You have only to evince habitual doubt of his veracity, or to ply him with perpetual accusations of falsehood. Would you convert an honest man into a thief? The surest way to do it is to undermine the confidence of the community in his integrity. Would you destroy the chastity of a woman? Be continually whispering slanders against her purity. Let your imputations on her virtue never cease. Finding that virtuous conduct is no shield against suspicion, and even open accusation, she ceases to preserve it. She revenges herself on society by doing that with which society had falsely and cruelly charged her.

How often do prisoners, when urged to reform on returning to the world, give back the desponding reply, "What can I do? my character is gone." The mortification, the shame, the anguish felt by innocent persons, when arrested on suspicion of crime,

and confined within the walls of a prison, are often intense and indescribable. And can we doubt that causes known to be operative in all other cases, will operate here also? Must not this great amount of false accusation produce, in the end, an immense amount of crime, by destroying that sentiment of self-respect, which springs from a fair and honorable reputation? No matter how clearly the innocence of the accused person may be established on his trial, he carries the taint of the prison wherever he goes. He is scorned, insulted, and shunned. The very boys in the street cry "jail bird," as he passes along. How can a man, whose only capital is his labor, bear up under such a pressure? His only resource often is either to steal or starve; and for a crime which the law virtually compels him to commit, it punishes him by long years of confinement and labor in its prisons! What the appropriate remedy for this enormous wrong may be, we are not prepared to say; but that some remedy ought to be applied we are clear; and that the wisdom of man, when once it shall have been earnestly directed to this inquiry, is competent to devise a remedy that shall be adequate and effective, we cannot doubt.

Another source of Crime is bad Books.

Good men have ever lamented the pernicious influence of a depraved and perverted literature; but such literature has never been so systematically and widely diffused as at the present time. This is owing to two causes, its cheapness and the facility of conveyance by steamboat and rail car. Lines of railroad radiate from all the great centres of trade, and form a network of communication over the whole surface of the country. Mr. Gould estimates that more than 26,000,000 persons are transported over the railroads of the United States a year. Multitudes of these, probably, one in twenty at least, purchase books at the depot or in the cars to while away the time. This would give over a million of volumes circulated in this way annually; and perhaps an equal number are sold and circulated in steamboats, at watering places, at hotels, and at other places of public resort. Now a very large proportion of the works thus put in circulation are of the worst character, tending to corrupt the principles, to inflame the passions, to excite impure desire, and to spread a blight over all the powers of the soul. Brothels are recruited from this more than from any other one source. Those who search the trunks of convicted criminals are almost sure to find

in them one or more of these works; and few prisoners, who can read at all, fail to enumerate, among the causes which led them into crime, the unhealthy stimulus of this depraved and pernicious literature.

Orphanage is an active Cause of Crime.

To secure respect for the laws and for the rights of others, the discipline of restraint and of education is necessary; and this discipline can, as a general thing, be had only under the paternal roof. Here, if at all, under the training of parental love and wisdom, the child must be taught to curb his passions, to practise self-denial, to respect authority, and to render unto all their dues. Even if the orphan child falls into the hands of those who are disposed to lead him in the right way, he is restive under their restraints, and will not receive their rebukes and corrections, as he would similar discipline from the hand of parental affection. But, unhappily, the orphan child rarely falls into the hands of a truly conscientious guardian, or at least of one who takes a comprehensive and Christian view of his duty in that relation. The greater part satisfy their conscience with the care of the ward's property, leaving his moral sentiments and principles to the blind operation of chance. The majority of orphans, however, do not enjoy, even nominally, a guardian's care. Having no property, they are left to the cold charity of reluctant relatives, or the still colder charity of the almshouse, where the weeds of vice are left to grow unchecked, while the tender plants of virtue are choked beneath their shade.

Thus do we perceive that, from the nature of the case, orphanage is a preparation for crime. Facts support this view. Of 11,510 convicted criminals in the State of New York, 7,232—62 per cent—were either orphans or half orphans. In Pennsylvania, 515 out of 962 prisoners—more than 50 per cent—were virtually orphans; that is, 375 were literally so, and 140 were sent away from home in very early life, and thus deprived of all parental care, guidance, and discipline. In Maryland, out of 537 prisoners, 260—nearly 50 per cent—were orphans. Another fact connected with this subject, is shown by the statistics of our prisons, viz. that a much larger proportion of the criminal half orphans had lost their fathers than their mothers. This fact evinces, very clearly, how much children and youth need restraint, and how directly and strongly the want of it tends to crime.

Want of proper parental restraint and discipline might be mentioned as a distinct source of crime; but, as whatever has been said under the present head is, in the main, applicable here also, we have not thought it necessary to give to this topic a separate treatment.

Insanity is another of the numerous Sources of Crime.

This subject is far from having received the attention which it merits. Even those who have made crime their study, are but beginning to turn their thoughts in this direction. The plea of insanity, which is often advanced by the prisoner's counsel, is looked upon with disfavor both by juries and the general public, being considered as almost equivalent to a confession of guilt. One reason, and probably the principal reason, of this general disbelief in insanity as a cause of crime, is the fact that, in a large proportion of cases, the derangement of the intellect is confined to a single subject, while, on all others, the criminal may evince a high degree of intelligence and shrewdness. It is difficult for persons unused to watch the varying forms of insanity, to understand why a man, who evinces the greatest ingenuity in planning the details of a murder or robbery, should yet be wholly void of responsibility for the murder or the robbery itself. And yet nothing is more certain than that this is sometimes, perhaps more frequently than is commonly supposed, the case. The story of the British Chancellor, Lord Eldon, is well known, who after having for six hours examined a person with a view to test his lunacy, without detecting any evidence of it, was upon the point of adjudging him *compos mentis*, and therefore competent to manage his own property, when a gentleman whispered a suggestion that he should ask him who Jesus Christ was? Instantly he replied, "I am he?" and went into the wildest rhapsody concerning his celestial functions, and the Chancellor at once issued a decree, affirming his insanity and consequent incapacity to manage his estate.

Mr. Gould tells of a man whom he personally knew, who could reason with clearness and force on the obligations of justice and humanity, and was skillful and accurate in his application of the rules of morality to the ordinary affairs of life; yet this man, under the hallucination that he himself was God, would violate every rule of rectitude which he had so clearly laid down, and would justify the breach on the ground that, being himself

the sovereign of the universe, he was not bound by the laws which it was his pleasure to impose upon others.

But let us see what the testimony of competent persons is in reference to this question. We cannot doubt that not a few crimes, *i. e.* acts which would be criminal if done by persons of sound minds, are committed under the influence of insanity, and that numbers of insane persons are annually committed to prison.

Miss Dix, in memorializing the Legislature of Pennsylvania on this subject, writes: "I have said that within two years, 27 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 to bring 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 delusion, 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, for some time assistant physician to the Lunatic Asylum at Blockley near Philadelphia, and subsequently principal physician of the Eastern Penitentiary, a gentleman whom Mr. Gould pronounces better fitted for a prison physician, than any man he 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 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?" Upon this Mr. Gould remarks: "There are very many of the class of cases alluded to by Dr. Given, to be met with by the careful inquirer, 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 case, 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 sure to become patent sooner or later." How far men may be justly regarded as not responsible for criminal acts done under this species of insanity, while yet their intellectual faculties remain clear and vigorous, we are not prepared to express an opinion. But we have no doubt that insanity is the cause of more crimes than is commonly supposed.

Ignorance is a Source of Crime.

In Pennsylvania, of 2961 prisoners, 1620, only a little more than one-half, could read and write; 632 could read but not write; and 709, nearly a fourth, could neither read nor write. Of the whole population of Pennsylvania, 97 per cent are able to read and write. Out of 491 convicts in the Massachusetts State prison, 98, or about 20 per cent., were unable to read and write. Of the entire population of Massachusetts, over 97 per cent, have the ability to read and write. Of 215 prisoners in the Connecticut State prison, 77, or more than one-third, could not read and write; while of the whole population of the State, 98½ per cent. are able to read and write. The criminal statistics of other States exhibit results altogether similar to the above.

Now, on comparing the proportion of the whole population of the State to the proportion which the prisoners who can read and write bear to the whole number of prisoners, we get a clear idea, as well as a striking illustration, of the influence of ignorance in producing crime. Thus, for example, in Pennsylvania, since 97 per cent. of the population can read and write, if want of education has no tendency to produce crime, the number of prisoners who can read and write ought to be 97 per cent. of the whole, and the number who do not possess that ability ought to be only three per cent. But how does this statement tally with the actual facts? Not at all; for, in reality, only 55 per cent. of the prisoners can read and write, while the enormous propor-

tion of 45 per cent. are without that power. Hence it is evident that 45 per cent. of the crimes in Pennsylvania are committed by three per cent. of the inhabitants. Thus a very large proportion of the criminals come from a very small proportion of the population.

It must be remarked that even the foregoing exhibition, striking as it is, fails to set forth, in its full power, the tendency of ignorance to multiply crime. A large proportion of those reported as able to read have no such mastery of that art as to be of any practical utility, either as a recreation and consequent barrier against improper and injurious amusements, or as an aid in gaining a living, or as enabling them to read the bible and other good books and so to learn the way to holiness; the only three ways, as observed by Mr. Gould, in which learning can operate as a preventive of crime. If a prisoner can read by spelling out the words ever so slowly and miscalling the greater part of them, he is enrolled as able to read, although, for all practical purposes, he might just as well be without that ability. An illustration of the extreme ignorance of prisoners, who are classed as being able to read and write, is afforded by the following statistics: 57 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; and 14 could neither read nor write. Forty-three of the number, therefore, stood on the records as being able to read. These 43 were requested to spell the words "read" and "write." Only eleven spelled them correctly, the remaining 32 being unable to do it. One of the best of the readers was not able to tell whether the book of Matthew was in the Old Testament or the New. The truth is (as Mr. Gould has remarked,) that nine-tenths of the prisoners in the United States are ignorant men, who, although they may be enrolled on the prison books as able to read and write, are unable to do so for any practical or useful purpose.

Want of a Trade or Profession is a Source of Crime.

Ample and reliable statistics show that, in the State of New York, men of no occupation, or liquor sellers, sailors, boatmen, and drivers, none of which occupations can be properly called trades, constitute 65 per cent of all the persons convicted of

crime; that in Connecticut they constitute 60 per cent; in Maryland, 51 per cent; and in Pennsylvania, 45 per cent. These statements show a close relation between the want of a trade and the commission of crime. They show that the ranks of criminals are, in great part, recruited from the idle and shiftless classes of the community. But they do not reveal the whole truth. As a large proportion of the persons enrolled in our prison books as able to read and write have no such mastery of those accomplishments as to be of any practical utility, so those prisoners who profess to have learned trades have, in general, acquired them so imperfectly, that they are of little avail in enabling them to earn an honest livelihood. Half-learned trades, almost equally with no trades, are a cause of destitution and crime. This is made abundantly apparent from the statistics of the Eastern Penitentiary at Philadelphia, which exhibit the following results. Of 3,043 convicts confined in that prison, 442 were apprenticed and served their whole time; 556 were apprenticed, but did not serve out their time; and 2,045 served no apprenticeship at all. Of the whole number apprenticed, considerably more than one-half, by reason of not serving through their full time, acquired their trades imperfectly. Of the whole number reported, 67 per cent served no apprenticeship at all; and 85 per cent either never learned trades at all, or learned them so imperfectly as to be of little use. The following statement is no less significant: 48 prisoners of 24 years and under were received into the Eastern Penitentiary during the year 1853. Of these, only one had served out his time; 9 had been apprenticed and had left before the expiration of their apprenticeship; and 38, more than three-fourths of the whole, had never been apprenticed at all. "It is worthy of remark," say the inspectors in their report, "and suggests serious reflections to the inquiring mind, that of the 48 prisoners received during the year under 25 years, so few have ever been taught any useful business."

Poverty is a Source of Crime.

Far be it from us to speak on this subject in a way to wound the sensibilities of the virtuous poor. Among this class are often witnessed the brightest examples of purity, gentleness, self-denial and uprightness; too often, indeed, to permit us to doubt that poverty is compatible with the development and exercise of all these virtues. But we must not shut our eyes to facts, which,

occurring every day, show that pauperism and crime advance in parallel lines, and with equal step. They act and react upon each other; and each is, in turn, both cause and effect. This may be seen both in the cities and the country; but chiefly in the former, for it is there that poverty most rapidly and certainly generates crime, and there likewise its peculiar workings can be most easily observed.

Inefficient preventive Police is a Source of Crime.

This is too obvious to require argument or illustration. Within the memory of men now living, highway robbery was common on the roads leading to London. Now, however, in consequence of the increased efficiency of the police, such robberies are unknown.

But the general public has a responsibility here, as well as the police. Within the past few years, the police of New York, and some other of our large cities, have been required to enforce the law in relation to the closing of the grog shops on the Sabbath; and, wherever public opinion has been such as really to demand the measure, it has been successful. A like public sentiment, on the part of the moral and religious portion of the community, would enable the police to close up the brothels and gambling houses, which, as we have seen, cause, so large an amount of crime and misery.

Foreign Immigration is a Source of Crime.

Of 14,504 convictions for crime made outside of the cities of New York and Brooklyn, 38 per cent. of the persons convicted were foreigners, while only 21 per cent. of the aggregate population are of foreign birth. The commitments in the city of New York for the last year (1863) were 41,299. Of the persons thus committed, only 10,477, about one-fourth, were native born citizens, while the remaining 30,822 were foreigners; and this is about the usual proportion. In view of these facts, it is evident that crime is increased by the influx of immigrants from other countries.

Proximity to great Thoroughfares of Trade and Travel is a Source of Crime.

In the 18 counties bordering upon the Erie canal, there is one crime to every 1,276 of the population; while in the 17 counties, lying south of the canal, and not adjacent to it, the ratio of the convictions to the population is as one to 2,876; which shows an

immense preponderance of crime in the canal counties. But there are other circumstances which evince still more strikingly the crime-producing tendency of such thoroughfares as the Erie canal. Schenectady, Monroe, Niagara, and Oneida, the principal points of transshipment, are the most remarkable for crime, with the exception of Erie and Albany, the two termini of the canal, in which the relative amount of crime is greater than any other counties in the State, not even excepting that of New York. Comparing the nine counties bordering on the Hudson river with the nine counties which lie secluded from great thoroughfares, we find in the former one conviction in 1,518 inhabitants; in the latter, one in 2,864; nearly the same proportion as before, and showing still the tendency of great thoroughfares to generate crime.

Density of Population is a Source of Crime.

This might be argued *a priori*. A certain amount of seclusion, seclusion and quietude seems to be essential to a healthful development of the moral faculties. There is a tendency to contamination and degeneracy in the crowding of men together. But the tendency of crowding, in itself considered, to produce crime, is doubtless much less influential than the opportunity it affords for the action of other causes. Indeed, nothing can be clearer than that all the more active causes of crime are forced into a hot-bed fertility and productiveness by crowded populations; as grog-shops, theatres, brothels, gambling houses, the circulation of bad books, etc., etc.

But what is the testimony of facts on this point? The criminal statistics of the State of New York show that crime follows compactness of population with almost mathematical precision, so that a statement of the ratio of crime in any two groups of counties will be, at the same time, a statement of the ratio of the density of population in the same groups. In 1850, there were 59 counties in the State. Allegany stood midway as respected the relative amount of crime committed in it; there being 29 counties more criminal than it, and 29 less criminal. In the 29 counties above it in criminality, there were 10.7 acres to each inhabitant; in the 29 below it, there were 16.5 acres to each inhabitant. In the 10 most guilty counties, there were 6 acres to each inhabitant; in the 10 least guilty, there were 24. In the second 10 most guilty counties, the average number of acres to each inhabitant was 8.7; in the second 10 least guilty

ones, it was 15. The average per cent of convictions in the 10 worst counties, was .070; in the 10 best .018. It is surprising to see how exactly the ratio of crime corresponds with the ratio of density of population. Thus 6 : 24 :: .018 : .072, which only varies .002 from the actual percentage, as exhibited in the criminal records of the State. So exact, then, in the State of New York, is the relation between density of population and crime, that, if the density of population and the percentage of crime be given in one district, and the density of population only be given in another, we can at once and with scarcely less than mathematical certainty calculate the percentage of crime in the latter.

The same remarkable result is exhibited in the criminal statistics of England and Wales.

Sabbath-breaking is a Source of Crime.

This proposition is amply established by the criminal statistics of New York, as set forth in the documents of the New York Sabbath Committee. It appears that for 18 months prior to August 1st, 1859, (the date on which the Sunday liquor shops were closed by order,) the excess of arrests made on Sundays over those made on Tuesdays was 1852; or about 25 per cent of the whole. The Sunday arrests since that date down to Jan. 1st, 1863, were 27,272; the Tuesday arrests, 36,363; showing an excess of arrests on Tuesdays over those on Sunday of just 25 per cent. The relative gain on Sunday crime has, therefore, been just about one half. No wonder, then, that in a recent general order issued by the superintendent of police, that officer holds the following language: "The good order that has been preserved in the cities of New York and Brooklyn on the Sabbath day, since the enforcement of the forty-second section of the police law, has marked an era in the history of both those cities." The Sabbath committee, in giving the results of the reform aimed at by their labors, say: "A comparison of the data furnished by the police returns of arrests for crime and disorder on the Sundays and Tuesdays of successive years warrants the following generalization: 1. The enforcement of the Sunday laws has resulted in making the Sabbath day the most orderly of the days of the week, instead of the most immoral as formerly. 2. The arrests for crime have increased or diminished in the measure of obedience to these laws, not only on the Sundays, but on all other days.

3. The two years of civil war have been the period of improved public morals in this Metropolis, as compared with any recent period of our history."

Privation of Ministerial Instruction is a Source of Crime.

Dividing the counties of New York into groups of ten, as we have already in several instances done, we find that in the 10 counties where crime most prevails, there is one clergyman to every 678 inhabitants; in the 10 where crime least prevails, there is one to every 503. In the second 10 most criminal counties, the average number of inhabitants to one clergyman is 572; in the second 10 least criminal counties, the average population to one clergyman is 511. Thus it appears that crime increases as clerical force diminishes, and that the multiplication of ministers of the gospel is a means of promoting virtue as well as piety, and tends to the prevention of crime, no less than to the growth of holiness.

Innate Depravity is the Primal Source of Crime.

Our analysis of the sources of crime would be essentially defective without the statement, that back of all these causes, and far down in the depths of our fallen nature, is the *causa causans*, the primal source of all crime and all sin—that inborn depravity, that universal corruption of all the elements and powers of our being, which belongs to all mankind in their lapsed state. It is in this original corruption of nature that the word of God places the fountain of all moral evil, the original and spring of all the vice, the crime, and the sin, which darken and deform our apostate world. In the first chapter of Romans, we have the Bible theory of crime. There we learn that as men "did not like to retain God in their knowledge, God gave them over to a reprobate mind, to do those things which are not convenient; being filled with all unrighteousness, fornication, wickedness, covetousness, maliciousness, full of envy, murder, debate, deceit, malignity; whisperers, backbiters, haters of God, spiteful, proud, boasters, inventors of evil things, disobedient to parents, without understanding, covenant breakers, without natural affection, implacable, unmerciful."

Conclusion.

We close with the remark that, although we have enumerated *seriatim*, nineteen distinct sources of crime, yet it is seldom that they act separately and alone in working out their deplorable

results. Separate acts of drinking, gaming and the like may not lead to the commission of crime, but one of these acts leads to another, and that to a third, and so on, till their conjoint operation is to plunge into crime and its consequent wretchedness, and ruin those who practice them. Thus going to the theatre may introduce a young man to the society of prostitutes; these may incite him to drink; drink may lead him to the gaming saloon; gambling may and probably will land him in poverty; and from the pressure of poverty he may be impelled to the commission of criminal acts. Each successive step has its own corrupting power; each individual lapse leaves its sting to fester in his moral nature. And when, at length, the goadings of poverty drive him to replenish his exchequer by the robbery of others, conscience has become deadened, its voice has been silenced by vicious indulgence, the temptation meets but a feeble resistance, and the youth falls an easy prey to the enemy, who is striking at the precious life, and seeking, but too successfully, to involve virtue, honor, health and happiness in one common ruin.

G.

HISTORY OF THE NEW YORK PRISON ASSOCIATION.

[Applications are occasionally received for back sets of our annual reports, which, being exhausted, it is impossible to supply. To meet, in part, this demand, the Corresponding Secretary prepared the following paper, which was published in the January number of the Methodist Quarterly Review. The proprietors have consented to its republication here.]

The society whose name stands at the head of this article has completed the nineteenth year of its existence and labors. During all that period it has pursued a career of quiet and unobtrusive but effective beneficence, and has received the benedictions of thousands who were ready to perish, but have been reclaimed, redeemed, and restored to themselves, to society, and to virtuous and useful industry through its agency. We propose in the present paper, of necessity, in a very summary way, to trace the history of this excellent and worthy organization, and to show both what it proposes and what it has accomplished in the improvement of our penal institutions, and in the reformation and elevation of the degraded, vicious, and fallen portion of humanity.

The Association has published eighteen annual reports, and the nineteenth will doubtless be issued in a few days. These embody, besides a connected history of its own labors, numerous letters, speeches, and essays of unsurpassed ability, and of the highest authority, on all the great questions connected with prison discipline, prison reform, and the administration of penal justice. It would be difficult, we think, to find a collection of papers on topics of this nature more philosophical in their cast, more comprehensive in their range of inquiry and discussion, more enlightened and liberal in their doctrines, more humane in their spirit, more vigorous in conception, more classical in style, or better adapted to elevate, improve, and render effective, in the production of the noblest results, the administration of criminal law and penal justice. It is, as a matter of course, this series of reports which we make the basis of this present article.

The Prison Association owes its origin to the board of prison inspectors of the State of New York, who, in November, 1844, through their president, Hon. John W. Edmonds, issued a card in the public papers, setting forth the occasion and necessity for such an organization. This card was accompanied by a call for a public meeting, signed by many of the most eminent citizens of New York, among whom may be mentioned Benjamin F. Butler, William Kent, John Duer, Ogden Hoffman, Daniel Lord, James Harper, John A. Dix, Robert B. Minturn, and the Rev. Drs. James Milnor, Gardiner Spring, Jonathan W. Wainwright, and Orville Dewey.

The proposed meeting was held on the evening of December 6th ensuing, the Hon. Wm. T. McCoun, Vice-Chancellor of the State, presiding. As soon as the meeting had been organized, Judge Edmonds submitted the following resolution, namely:

Resolved, That it is expedient to form in the city of New York, a prison association, and that a committee be appointed by the chair to report to this meeting a form of such association, and a nomination of suitable officers therefor.

Judge Edmonds supported his resolution in a lucid and able address. He presented a mass of interesting and instructive facts and statistics, gathered during his service as State prison inspector. He showed the almost insuperable difficulties encountered by discharged convicts in obtaining employment; the fearful alternative presented to them by society to starve or steal, and the well-nigh irresistible temptation thence arising to continue in a career of evil doing; the abundant streams of crime issuing from poverty, ignorance, sudden temptation, evil associations, youthful inexperience, insanity, and mental imbecility; the hardening and degrading influence of severity, and the softening, elevating, reformatory effect of kindness in the treatment of prisoners; the necessity and good results of the classification of convicts, and of their instruction as well in secular as religious knowledge; the hopeful nature of the work contemplated by the new organization; the suppression of crime by raising and reforming the fallen, and the need of a thorough reform in the principles and modes of prison discipline. He also mentioned some startling facts demonstrative of the excessive, and even appalling, cruelties sometimes inflicted upon the convicts by the authorities of Auburn prison. The Rev. William H. Channing seconded the resolution of Judge Edmonds, and en-

forced it in a train of remarks similar to those of the mover, in which he particularly showed that prisons ought to be made houses of reform rather than places of torment, and that society owes to criminals aid and support in their efforts to reform, since it is itself, by its neglect and injustice, in part at least, responsible for their crimes.

The resolution was adopted, and a committee appointed to draft a constitution and nominate officers.

Theodore Sedgwick, Esq., then moved the following resolution, which was carried unanimously:

Resolved, That it is proper that such society should have in view the condition and interest of persons arrested for crime and detained for trial, and after trial, until their commitment to their final place of confinement, and particularly of juvenile offenders.

Professor J. L. Tellkampf, then a citizen of the United States, but since chief inspector of prisons in the kingdom of Prussia, offered the following resolution:

Resolved, That the state and condition of prison discipline, including the treatment which prisoners receive during their confinement, the melioration of the condition of prisoners, the improvement of the government of our prisons, and the substitution in their management of the law of kindness for that of force, are objects worthy the attention of philanthropists, and deserve the particular consideration of such a society.

Prof. Tellkampf supported his motion by a written address of much learning and power. He discussed at length the separate and silent methods of prison discipline, more commonly known at that time as the Philadelphia and Auburn systems. As between the two systems, he gave the preference to the latter; but at the same time he advocated a third system, compounded of both the others—a sort of eclectic method—as upon the whole superior to either. He animadverted with emphasis upon the tendency of the Philadelphia system to produce mental imbecility and insanity in prisoners, and upon the cruelties practised in enforcing discipline under the Auburn plan. He was particularly earnest, not to say severe, upon the system of contract labor in prisons, as both wrong in principle and injurious in its influence upon the convicts, since it wholly overlooks their moral amelioration, and regards and treats them only as so much machinery to be employed in the production of money. He gave an interesting outline of a plan of prison discipline presented by himself to the cabinet of Prussia and adopted by the government of that

country, in which the houses of detention were to be constructed upon the separate plan; State lunatic asylums were to be erected for the reception of insane convicts, and the penitentiaries were to be organized in three departments; the first on principles similar to those of the Philadelphia system, and the other two on the Auburn plan. We believe that since Prof. Telkampff has been officially connected with the prisons of Prussia, he has become a full convert to the separate, as contradistinguished from the congregate system of prison discipline.

The professor's resolution was adopted.

Mr. Isaac T. Hopper then offered the following:

Resolved, That to sustain and encourage discharged convicts, who give satisfactory evidence of repentance and reformation, in their endeavors to lead honest lives, by affording them employment, and guarding them against temptation, is demanded of us, not only by the interests of society, but by every dictate of humanity.

Resolved, That in the formation of such a society it would be proper to have a female department, to be especially regardful of the interests and welfare of prisoners of that sex.

In supporting his resolutions, Mr. Hopper, who, as prison inspector of Philadelphia, had had large experience among convicts, related several highly interesting cases of reformation, the effect of kind words discreetly spoken, and of kind acts judiciously bestowed. He said that he had personally aided as many as fifty young culprits to regain their character and standing, and he had the satisfaction of being able to state that only two of them had turned out badly. He added that he could not help mentioning a subject which often gave him great pain. He often saw in the papers accounts of young people committed to prison for small offences; in this way their characters were blasted, and they often became reckless and desperate. If those who prosecuted on such occasions would only make use of fatherly reproof and friendly advice and encouragement, he was confident that a very large portion of these delinquents might become useful and honored members of society.

After the adoption of Mr. Hopper's resolutions, the Society was organized under the name and title of "The Prison Association of New York," by the adoption of a constitution and by-laws, and the election of Vice Chancellor Wm. T. McCoun as president, and Theodore Frelinghuysen, Benjamin F. Butler, John W. Edmonds, and Abraham Van Nest as vice presidents. The

officers were, a president, four vice presidents, a treasurer, a corresponding secretary, a recording secretary, and a board of managers, called an "executive committee," which was subdivided into four standing committees, namely: a committee on finance, a committee on detentions, a committee on discharged convicts, and a committee on prison discipline.

The objects of the association, as stated in the constitution, and more fully in an appeal to the public by the executive committee, are three: I. A humane attention to persons arrested and held for examination or trial, including inquiry into the circumstances of their arrest and the crimes charged against them; the securing to the destitute and friendless strict justice in their cases, and protection from the deprivations of unprincipled and unfaithful persons with whom he may come in contact. II. Encouragement and aid to discharged convicts in their efforts to reform and earn an honest living, by procuring situations for them, by providing them tools to enable them to commence business for themselves, and by keeping up a paternal oversight and friendly correspondence after they have been thus provided for. III. The reformation of prisons themselves, and the improvement of prison discipline and government; an object the most important of all, since it goes to the root of the matter, builds at the foundation, and purifies the streams in the fountain.

The first annual meeting of the Association was held in the Broadway Tabernacle, on the evening of December 5, 1845. It was an occasion of great interest. The Boston Prison Discipline Society, and the Philadelphia Society for Alleviating the Miseries of Public Prisons, were present by their delegates, who presented interesting and valuable communications from the organizations which they represented. Addresses were made by several gentlemen, particularly one of great eloquence and power, by the Hon. John Duer, in which he depicted, in vivid and appalling colors, the abuses prevalent in our prisons, more especially in our city prisons, and pressed upon the conscience of every man and every woman in the community, the duty of aiding in some way, either by personal effort or the contribution of money, or both, in the removal of those abuses and the reform of the prisons.

The report of the first year's labors shows that the Association had entered intelligently, industriously and successfully upon its appropriate work. Mr. Isaac T. Hopper was appointed agent of the society, with special reference to aiding the deten-

tion and discharged convict committee. A female department, in accordance with one of the resolutions before named, was organized, a house rented for the accommodation of this class of delinquents, and two matrons appointed to take charge of the establishment.

That part of the society's labor which is bestowed upon persons detained for examination or trial is necessarily confined to the cities of New York and Brooklyn. The members of the detention committee, though pressed by the claims of private business, were zealous and active in the discharge of their duties in the cause of humanity. Their visits to the numerous detention prisons, including the two principal city prisons, were sufficiently frequent to give them a familiar acquaintance with their condition and government. They speak of them as a disgrace to the public authorities; as daily inflicting grievous wrong upon the community; as ill-constructed, ill-arranged, void of all proper system, costly in their maintenance, and baneful in the extreme in their moral influence. They congratulate themselves, however, on having accomplished some useful results in this field, particularly in the attention given to the cases of eighty boys who had been arrested, forty-eight of whom were restored to their parents or friends, and, it was hoped, to the path of rectitude and virtue.

The discharged convict committee also labored assiduously in their appropriate function, and with no little encouragement and success. The great object here was to prevent released prisoners from relapsing into crime by securing them from the temptations of want, and affording them the means of obtaining an honest livelihood. Two hundred and twenty-nine discharged prisoners, male and female, were aided by furnishing them, to a less or greater extent, with board, clothing, tools to set up business for themselves, etc., etc. Eighty-three were provided with places, concerning seventy of whom the Association had received reports from their employers of their continued good conduct; a proportion, as the report duly declares, beyond what might have been expected, and showing that much good can be done even to the fallen and abandoned without any great expenditure of time or money—the main draft being upon the kindly sympathies of our nature, a fountain from which there ought to be a constant flow of living waters. It is a sad mistake to suppose that all convicted criminals are hopelessly depraved. This is so far from being the case that the greater part may, by kind

and judicious encouragement, be won back to the ways of virtue, while the very same persons would, in all probability, by harshness and rigor, be irretrievably plunged into the abyss of crime.

The committee having charge of the department of prison discipline were particularly enjoined to visit and inspect the various prisons of the State. That they might be able to discharge this duty in a satisfactory manner, they applied to the Legislature for an act of incorporation, with power to examine thoroughly both State and county prisons. The Assembly, with great unanimity, passed the necessary bill; but the Senate, either from jealousy of interference with State institutions, or ignorance of the real objects of the Association, refused its assent, and the bill was not enacted into a law. Nevertheless, the committee, by courtesy and without authority of law, inspected not only the prisons of New York and Brooklyn, but also the State prison at Sing Sing, and some six or eight county prisons. They found, particularly in the city and county prisons, defects of a grave and glaring character; among which they enumerate the huddling together, in the same apartment, of prisoners of all grades and ages, and in some instances of both sexes; filth, ill-ventilation, vermin, idleness, frequent change of officers, etc., etc. They found the associations of the prison to be for evil and evil only, and the prisoners, including the man of gray hairs and the mere youth, the murderer and the vagrant, the expert and the novice, all herded together, and subject to influences the most corrupting and ruinous. The Association, in this its first annual report, came out distinctly and emphatically in favor of solitary confinement in all detention prisons and county jails. They avow the opinion that whatever argument may be used against the separate system for more protracted periods of confinement, that system is obviously and decidedly preferable for short ones.

In regard to the two leading systems of prison discipline which have divided the world, the solitary and the silent, the separate and the congregate, the Philadelphia and the Auburn, as they have been variously called, the Association declared itself not pledged to either, but disposed rather to advocate a plan combined of both, avoiding the evils of each, adopting their respective advantages, and attempting to mould from them a system which would receive the sanction of all humane persons, and be truly and emphatically national in its character. The congregate system had been too generally administered with harsh-

ness, rigor, and even cruelty, and these evils had been considered inseparable from this system. It was this consideration mainly that created so strong a prejudice against the congregate system in the several commissions from European States, sent out by their governments to inspect the prisons of the United States. The New York Prison Association, in their first annual report, took ground against the idea that the severity complained of was necessarily inherent in the congregate system, but maintained that it was due rather to the want of fitness and adequate qualification in the persons selected to administer it. In confirmation of this view, the Association refers to the House of Correction in Boston, where, during a period of twelve years, though more than seven thousand criminals had been received, many of them exceedingly depraved, not a single blow had been struck, and yet the best of discipline had been maintained. It also refers to efforts recently and successfully made to introduce a milder system of government into the prison at Sing Sing. In the male prison, where the reform had been by slow and timid steps, the number of lashes per month had been reduced from three thousand to two hundred and fifty; and yet the prison was confessedly as well governed as before. But in the female prison, where the change was conducted with bolder and more rapid strides, the greatest success was attained and the highest encouragement afforded; for whereas previously the number of offences against prison rules had been at the rate of four hundred and fifty per annum, now these offences were reduced to forty; and yet the discipline of the prison was vastly superior to what it had been before. Where all had been disorder and anarchy a year ago, all now was order, quiet, and good government. These beneficial results were secured by laying aside the harsher features of the congregate system, and replacing them with the milder discipline of the separate system.

The second anniversary of the Prison Association, which was held in the hall of the Stuyvesant Institute, on the evening of the 22d December, 1846, was no less interesting than the first. Representatives were present from the Philadelphia and Boston Prison Societies, and letters were read from many distinguished gentlemen, both of our own country and Europe, among which were communications from Governor Seward, and from Dr. Julius, of Berlin, and M. de Tocqueville, of France.

The annual report for this year is an able and highly en-

couraging document, showing that the Association had been no less industrious than the preceding year in the prosecution of its appropriate objects, and that the success attained was no less conspicuous and cheering. The prisons visited and examined during the year by competent committees were the three State prisons, the penitentiaries at Blackwell's Island and at Albany, the city prisons of New York and Brooklyn, and ten county jails.

In regard to the county prisons, the report avers that, for all purposes other than security, the system is a failure; that safety indeed is, in almost all of them, the sole end in view; that reformation—the great object of imprisonment—is lost sight of; that moral corruption is the grand result attained through their agency; that they are, to a great extent, nurseries and feeders to our penitentiaries and State prisons; and that, in short, so injurious in its consequences is the existing system of imprisonment, it is a question whether the interests of society would not be as effectively served by its abandonment as by its continuance. The opinion is expressed that our county prisons never can be what an enlightened regard to the public weal demands until they afford opportunities for reflection, instruction, the inculcation of religious principles, and the formation of industrious habits. Now the difficulty in the way of a system which would secure these essential conditions lies in the small number of the convicts in most of our jails. To meet this difficulty the important suggestion is made that the State be divided into an adequate number of penal districts, in each of which, in some central position, a prison on the most improved plan should be erected, in which there should be introduced and effectively applied all the best agencies of reformation; as classification, labor, hygienic appliances, and adequate instruction, secular, industrial, moral, and religious.

The investigation of the penitentiary on Blackwell's Island, conducted by a very intelligent and able committee, of which the late distinguished Judge Duer was a member, revealed abuses and evils in the organization and management of that institution of the most flagrant and revolting character. Among these were: a total want of ventilation; an extreme filthiness and sloveliness in the dress and persons of the prisoners; the packing of two hundred women into a workshop whose dimensions were one hundred feet by seventy-five feet, with only the occasional supervision of a matron, where ribald jests, obscene talk, and

horrid oaths were the order of the day, the whole forming a seething mass of corrupted and corrupting humanity; a female hospital, with an average population of one hundred and fifty patients, nearly all prostitutes, constituting in fact the great venerable hospital of the city, where these wretched outcasts are cured at the expense of the public, which is thus made to pay a direct and enormous tax for the support of licentiousness; the smallness of the proportion of prisoners required to work, the unproductiveness of their labor, and the looseness of the business management of the prison, not a solitary article manufactured by the convicts having been accounted for; an utter want of fitness for their duties of many of the officials, as shown in the not infrequent use by them of language ordinarily heard only from the lowest and most abandoned, so that many of them, instead of being ensamples to the prisoners of moderation, sobriety, and decorum, were, on the contrary, violent, intemperate, vulgar, and profane; the introduction of political tests into the appointment of officers, and a consequent subjection of the executive administration of the prison to the control of party politics; the flooding of the island at all times with a promiscuous company, through a system of indiscriminate and almost unlimited permits to visit it, issued by various grades of city officials, whereby discipline was materially interfered with, opportunities afforded for a flagrant abuse of the privilege, and what was designed to be simply and solely a penal institution, perverted to the support and encouragement of the grossest licentiousness; the supervision, in part, of the female prisoners by male keepers, who were not only permitted, but required to lock up the females at night, and one of them at Bellevue, had the entire charge of his gang, day and night, to the number of sixty; and, finally, the want of adequate provision for the secular, moral, and religious instruction of the prison population. These and other abuses and deficiencies are set forth and animadverted upon with a just severity in the Report now under consideration.

But the most comprehensive, thorough, and satisfactory examinations of the penal institutions of the Commonwealth were those of the three State Prisons, Sing Sing, Auburn, and Clinton. A great improvement was reported in the condition and working of these institutions. The reign of cruelty seemed to have passed away, a great and radical change having taken place in the government of the state prisons within the three preceding

years. The Clinton Prison, indeed, had from its origin (then quite recent) been thus well and wisely governed; and now, at Sing Sing and Auburn, where three years previously nearly one hundred blows a day had been struck, and the whipping post was never dry, weeks and even months elapsed without a blow. The infliction of corporeal punishment had become infrequent, and he was considered the best officer who had permitted the longest time to pass away without resorting to it. The following general facts were elicited by these investigations: That our state prisons had been erected at an expense exceeding \$950,000; that they had accommodations for two thousand one hundred and fifty convicts, were governed by one hundred and sixteen officers, and involved an annual expenditure of more than \$220,000; that they had been self-supporting, until certain highly profitable branches of industry previously pursued in them were prohibited by the Legislature,* and that they had become nearly so again; that only about one hundredth part of the large yearly outlay upon the prisons was directed to the moral and mental improvement of the prisoners, while the whole of the residue was devoted to material interests; that the system of government had been almost entirely one of physical force, but was now happily modified and improved from its former harshness and cruelty, and brought to a nearer conformity to the principles of reason and humanity; and that the plan of farming out the labor of the convicts, in other words, the contract system, though probably adapted to advance the financial prosperity of the prisons, has in it much that is calculated to interfere with the moral improvement of the prisoners, much that has a tendency to restore and perpetuate the former hard and iron rule. The method of investigation pursued by the committees charged with that duty, was, to have a personal interview with each prisoner, and to examine, under oath, the officers of the prison, and also the contractors and their clerks, to an extent sufficient to enable them to understand truly and fully the government and discipline, as well as the general condition and working of the institution.

The detention and discharged convict committees were assiduously and successfully engaged in the discharge of their respective duties, as well by their personal exertions as through their agent. A large number of persons detained for trial or examination receiv-

*It is to be regretted that the Report does not specify the branches of labor thus forbidden by the Legislature, that we might know the cause of the prohibition, and judge of its propriety and wisdom.

ed attention and relief, according to their several necessities. Of discharged convicts, five hundred and six were relieved by the Association to a less or greater extent, two hundred and five of them being provided with permanent employment. Concerning far the greater part of these, good and encouraging accounts were received from their employers.

The application to the Legislature for a charter, whose failure was reported the preceding year, met with a better fate on its renewal this year. A charter of a liberal and comprehensive character was granted, one which imposes grave duties and confers high powers. Among the duties imposed is that of "visiting, inspecting and examining all the prisons in the State, and reporting annually to the Legislature their state and condition, and all such other things concerning them as may enable the Legislature to perfect their government and discipline." Among the powers conferred is that of "establishing a work house in the county of New York," and that of "examining on oath any of the officers of the prisons, and to converse with any of the prisoners therein, without the presence of the keepers or any of them." To enable them to carry into effect the first named of these powers, the Association presented an elaborate and earnest memorial to the common council, praying for a grant of money to that end. This application was for a considerable period renewed from year to year, but without effect. No appropriation of money was ever made to the Association for this object. Nevertheless, in the year 1849, and no doubt as the result of the Society's efforts, a work house was established on Blackwell's Island. This greatly desired object was directly accomplished through Judge Edmunds, one of the originators, and long an honored and useful member of the Prison Association, acting in his official capacity as a civil magistrate.

The fourth annual report of the Association, which records the transactions of two years (1847 and 1848), shows a prosecution of its appropriate work equally vigorous and successful as before.

During the two years covered by this report the work of prison inspection was carried out with vigor, although obstructions were interposed in reference to the Sing Sing prison, which resulted in preventing any examination of that institution. The two other State prisons, Auburn and Clinton, were visited and examined. A great advance is reported in the humane character and discipline of those prisons. The officers, with few excep-

tions, were found to be intelligent, capable, and humane; and, as a general thing, they were respected and esteemed by the convicts. Both the number of prison offenses and the amount and severity of the punishment had very sensibly diminished. After a searching examination of all the convicts, but one instance of barbarity was discovered in the Auburn prison, showing a state of things which contrasted favorably with that of former years. And although, owing to the bitter and persistent opposition of the warden of Sing Sing prison, no examination was permitted there, it was ascertained without such examination that, since the organization of the Prison Association, and doubtless as the result of its agency, the number of monthly violations of prison rules had diminished from one hundred and fifteen to sixty-six, and the number of lashes given per month from one thousand one hundred and twenty-one to thirty-eight; while at the same time the average prices of convict labor per day had increased from thirty-one cents to forty-five cents; showing very clearly that kindness, by promoting a contented and cheerful spirit in the convicts, had, in equal proportion, augmented their productive industry.

The favorable influence of the Prison Association on the feelings, hopes, aims, and purposes of the convicts in our State prisons, had been, according to the report under consideration, decided and conspicuous. It had shewn them that, though they were fallen and debased, there were still those in the community who cared for them, sympathized with them, and were willing and anxious to co-operate with them in their efforts to reform. This conviction carried with it at once a soothing and quickening influence upon convicts, tranquilizing their minds, and stirring them up to resolutions and efforts looking to a reformation of life. A no less beneficial effect had been produced upon prison officers by the agency of the Association. They had thereby been incited to greater diligence in the discharge of their official duties, and moved to a more humane treatment of the prisoners under their care and control.

Twenty county prisons had been examined by committees of the Association, which were found to be in the same deplorable condition, and to be exerting the same corrupting and ruinous influence upon their inmates as the prisons previously reported upon.

The work of looking after detained and providing situations

for discharged prisoners had been pursued with no less diligence and success than in former years.

A service of the highest importance and value had, in 1847, been rendered to the community by the Prison Association. During the previous year a new constitution had been framed and put in operation in the State of New York. As the said constitution had materially changed the system of prison government, it became necessary to adapt the statute law to the requirements of the new organic law. Accordingly, in the session of 1847 and 1848, bills were early introduced into both houses of the Legislature with a view to securing such adaptation. As these bills were framed to meet the requirements of the constitution rather than with a view to improvement in penal discipline, the Association felt it to be their duty, as a fitting occasion had arisen, to propose such alterations in the laws, in relation to this subject, as the progress of civilization and the best interests of the State seemed to require. A committee was accordingly appointed, consisting of John Duer, John W. Edmonds, Benjamin F. Butler, John D. Russ, and Rensselaer N. Havens, to consider and report what alterations and improvements could be advantageously proposed. The committee, embracing, as our readers will have noticed, some of the ablest jurists in the country, found the statutes relating to this subject scattered over a legislation of so many years that it was difficult, in many instances, even to discover what the law really was. Under such circumstances, it was believed by the committee that they could render a more important service to the state, as well as more completely effect their own object in the advancement of the interests of humanity, by collecting, arranging, and consolidating into one act the then existing laws, availing themselves, however, at the same time, of the opportunity to suggest and introduce such amendments as they might judge necessary and proper. This was truly a Herculean task; but the committee, prompted by a noble patriotism and philanthropy, and with no hope of reward other than the consciousness of doing good, undertook and accomplished the labor; and the result was the very thorough, elaborate, comprehensive, and admirable bill, which the Legislature of 1847 enacted into a law, creating and fixing the present prison system of New York. Thus, has the Prison Association brought the State under a weighty obligation of gratitude, for

essential aid rendered in the important work of improving its criminal jurisprudence.

The labors and operations of the Prison Association for the year 1849 are detailed in their Fifth Annual Report. The unhappy controversy between the Association and the Board of State Prison Inspectors, reported as having commenced the preceding year, was continued with increased emphasis, we might almost say bitterness, during the year now under review, and for a number of years subsequently. Into the merits of the controversy our space will not permit us, and our inclination forbids us, to enter. We will, however, venture a single remark. The Association appears to us to be fully sustained by its charter of incorporation in its claim of a right to inspect the prisons, and in so doing, to converse with the prisoners separate and apart from the keepers or any of them; at the same time, it seems to us, nevertheless, to have committed a grave indiscretion—and one likely to produce (as in fact it did) increased irritation and opposition—in spreading, year after year, upon the pages of its Annual Reports, an unlimited quantity of the tales received from convicts discharged from Sing Sing Prison, whose truth there had been, under the circumstances, no opportunity of testing. Although this controversy continued for many years, and its effects reached even beyond its own existence, materially circumscribing the operations of the Association and crippling its usefulness, so far as the duty of prison inspection prescribed by the Legislature was concerned, all that has now ceased, and we consider it a fit subject of congratulation that at the present time the most cordial relations exist between the Prison Association and the Board of Inspectors, and indeed between the Association and the prison authorities, in all the different classes of prisons throughout the State.

With the exception of prison inspection, which, during the year 1849, was limited to the city of New York and its immediate vicinity, the Association pursued its accustomed work, particularly in examining complaints, looking after the arrested, and providing situations for the discharged, with its usual energy and success.

With keen and piercing glance it peered into the numerous abuses and defects in the administration of criminal justice in New York, and with fearless heart and trenchant hand exposed them in its report. It still found the city prison, (the Tombs)

to use its own language, "literally, and without exaggeration, a moral pest-house," and the penitentiary on Blackwell's Island, "one of the worst governed prisons in Christendom."

There is, however, one redeeming institution, one bright spot amid the general gloom. The work-house system, for which the Society had so long, so intelligently, and so earnestly labored, went into operation on Blackwell's Island this year. It opened on the 14th day of June, with thirty-seven inmates, and the commitments from that date to December 31, inclusive, swelled to four hundred and twenty-five. The new institution had many difficulties to struggle with in the commencement of its career. Nevertheless, the report uses in reference to it the following strongly encouraging language: "This new establishment, from the character of its organization, and the wisdom, energy and skill with which it is conducted, promises to be the most interesting as well as orderly and successful institution in our city. It has now only been in operation since the 15th of June, and already the receipts, with only about two hundred and fifty convicts, average about \$2,000 a week, or over \$100,000 a year, a greater amount than is earned by the eight hundred in the penitentiary." Thus were the zeal and the arguments of the Association in favor of the establishment of a work-house more than justified by the result. Mr. Harmon Eldridge, a gentleman thoroughly imbued with the doctrines of the Association on the subject of prison discipline and in full sympathy with them, was, through its influence, appointed superintendent of the new establishment. In a letter, dated Jan. 1, 1850, addressed to a committee of the Association, he says: "I have no hesitation in saying, from daily and careful observation, that, with buildings properly adapted for a work-house with a view to the classification of the various grades of character, and with stringent rules and regulations for its good government, it will not only improve the moral condition of its inmates, but it will be more satisfactory to the tax-payers of the city of New York. A work-house will improve the penitentiary system in various ways. It will enable you to separate crime and poverty, or, in other words, the 'court prisoners' from the vagrants. It will relieve the penitentiary of more than half its population, and remove the embarrassments created by its present crowded state."

We regret that the limits to which any one paper in this jour-

nal must be confined will forbid our following the Prison Association, year by year, along the entire track of its honorable and useful career in the work of reforming prisoners, and the still more important work of reforming the prisons themselves. Both these objects were prosecuted with much zeal and vigor, and the latter, in the way of prison inspection, as extensively as the limited means at command would permit, during the first ten or twelve years of the Society's existence. During the last six or eight years of its history, as we learn from the reports of those years, owing to a want of funds for the purpose, and perhaps also from some decay of zeal in the cause, the work of visiting, inspecting and examining prisons has been almost totally suspended. In all that time, no State prison or penitentiary, and but very few county jails, have been examined and reported on.

But while this branch of the society's work appears to have fallen into some degree of neglect, that department of its labors which embraces the cities of New York and Brooklyn, which is directed to the care and reformation of detained and discharged prisoners, has been conducted by Mr. Abraham Beal, general agent of the Association, with eminent industry, zeal, wisdom, energy and success. Mr. Beal has, from year to year and from day to day, systematically visited the various prisons and detention houses in these two cities, attended upon the criminal courts, and given special attention to such cases as seemed to call for his interposition. The child or youth of tender years, the novice in crime, the emigrant to whom our language and laws are unknown, the wrongfully arrested, the guilty but penitent prisoner, and those in whose cases mitigating circumstances are found to exist, have received from him, as the representative of the Association, that consideration which philanthropy should bestow upon the young, the weak, the ignorant, the tempted and the unfortunate. To show the extraordinary activity and devotion of this gentleman, we present to our readers a summary statement of his labors for a single year. We select that of 1861. During that year he visited six thousand one hundred and fifty persons, comparatively poor and helpless, in our city and detention prisons. He examined one thousand three hundred and thirty-eight complaints, giving counsel and aid to the persons against whom they had been made. He procured the abandonment of four hundred and sixty-one complaints, most of which were the result

of prejudice or passion, or too trivial to be entertained. He procured the discharge of five hundred and six persons, either very young or clearly innocent, or manifestly penitent and resolved to sin no more. He assisted with board and aided to reach their friends or employment, remote from the city, six hundred and seventy-six discharged convicts. He supplied with clothing, less or more, one hundred and fifty-two others of the same class. And he procured work, in town or country, for two hundred and forty-one released prisoners. This is a catalogue of labors for a single year, which places in a very clear point of view, both the zeal and usefulness of this devoted philanthropist.

There is a feature in the work of the Association, as conducted by their general agent, of very great importance and utility, and which ought to be brought distinctly before the public eye. It is well known that in some countries there are regularly constituted tribunals, called courts of conciliation, the design of which is to prevent as well family and neighborhood feuds as tedious and expensive litigation, by an amicable settlement of differences. The labors of the society's agent supply, in a great measure, the want of such a court in this community. Innumerable difficulties, originating in mistake, passion, drink, sudden temptation, or the like, many of which would otherwise grow to formidable proportions, are adjusted through his agency. In this way husbands and wives, temporarily alienated, are united in feeling; hostile parties are reconciled; offenders are reclaimed; much expence is saved to the community; and the sum total of human happiness is greatly augmented. These, and such as these, are declared in the last annual report to be every-day results of Mr. Beal's judicious interposition; results, as the report truly adds, most important in themselves, as well as cheering to every humane and philanthropic heart.

The economic relations and bearings of the Prison Association constitute an aspect of it well worthy of attention. We conscientiously believe that, as a measure of public economy, the wealthier part of our citizens, who have the bulk of the taxes to pay, cannot lay out a portion of their money to better advantage than in aiding this society in its work. While the Association thus far has cost the community less than \$50,000, there can be no doubt that it has saved it hundreds of thousands, in a diminished expenditure for the administration of criminal justice, on the one hand, and, on the other, in the accumulations of an

industry which would otherwise, at least a considerable part of it, have been but a negative quantity. The Association, then, in a merely economic view, must be regarded as a great public and social benefit, since it costs far less to prevent crime than to punish it; and the prevention of crime by raising the fallen is the foundation principle of this organization. The surest and cheapest protection to society against the bad is to make them good; a result which, by the blessing of God on honest and patient effort, can be effected, as experience has shown, in a much larger number of cases than is commonly supposed possible; for, be it known to our readers that all is not evil within the walls of our prisons, any more than all is good outside of those walls. Self-interest, therefore, even if there were no higher motive, should enlarge the charities of the benevolent toward the guilty and the fallen. They return to society, on their discharge, either pirates or penitents; and it lies mainly with society itself to say which it shall be.

We find in the last Annual Report the following paragraph:

The Association has made an important modification in its arrangements during the past year. We have long felt the need—indispensable to the most effective prosecution of our work—of an executive officer who would devote his whole time and energies to the interests of the Society. We have accordingly invited to the office of Corresponding Secretary, heretofore rather nominal and honorary than otherwise, the Rev. E. C. Wines, D. D., late President of the City University of St. Louis. He has accepted the position tendered him, and has entered upon the discharge of its duties. It will be the business of the Corresponding Secretary, besides providing the needful funds, to carry on an extended correspondence, both in our own country and Europe, with gentlemen connected with the administration of penal justice; to collect and examine reports of penal institutions at home and abroad; to present our cause in such pulpits as may be open to him; to inspect and examine prisons; to make himself familiar with the doings of other organizations similar to our own, and with the whole range of penal literature; and to digest, arrange, and render available, in tabulated and other forms, the statistics of crime gathered from all quarters.

As the writer of the present article is the incumbent of the said office, it would be a violation of modesty for him to say more than that, under the new arrangement, the Association has entered with ardor upon a broader field of labor than heretofore, and one more in accordance with the original design of its formation. For the first time within its history, pecuniary aid has

been obtained, both from the city and state governments, and there was a prospect, as stated in the last Report, that every prison in the State, of whatever grade, would be visited and thoroughly explored within the current year, and the results reported to the Legislature in the next annual communication to that body. This promise, we have reason to think, will be redeemed.

We find, in the Report for 1862, the following summation of results accomplished by the Association during the eighteen years of its existence: 54,714 detained prisoners visited and counseled; 5,630 detained prisoners discharged on the recommendation of the Association; 18,911 complaints examined; 4,898 complaints withdrawn at the instance of the Society; 7,676 discharged convicts aided with money or clothing, or both; 2,729 discharged convicts provided with situations; and seventy inspections of prisons made. Less than five per cent. of those provided with situations have ever returned to prison.

The Executive Committee close their eighteenth Annual Report in these words:

The appeal of the criminal and the prisoner is to that high and noble philanthropy which can overlook the past and stoop to raise the fallen; that philanthropy which whispers words of consolation to the erring, and guides the feet of the wanderer back into the path of virtue. It is a philanthropy akin to that Divine benevolence which, in calling backsliders to return, promises to "heal their backslidings;" nay, even to be "merciful to their unrighteousness," and to "remember their sins and iniquities no more." It is to such a philanthropy that we would appeal on behalf of the discharged convict. We say to society: "Give him another chance. Speak kindly to him. Let him have your sympathy. Meet him with a smile instead of a frown. Open the heart and the hand to his relief. He starts at his own shadow. He feels that, like Cain, he is a 'fugitive and a vagabond upon the earth.' Terrible, indeed, are his struggles; for he has foes within, as well as without, to combat. His soul is driven to and fro between the frowns of the world and the upbraidings of conscience. These awaken remorse; those despair. Does not a being, thus agitated and distressed, need sympathy and encouragement? And shall his appeal, shall our appeal for him, be in vain, to those whom a kind Providence has guarded in the hour of temptation, and whose cup overflows with blessings? Remember the words of the Lord Jesus, at once so condescending and so gracious: 'I was in prison, and ye came unto me;' 'inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.'"

H.

REPORTS OF SPECIAL COMMITTEES.

I. ON THE QUESTION OF A NEW STATE PENITENTIARY.

A document signed by A. B. Tappen, Esq., a member of the Board of State Prison Inspectors, being a copy of a communication addressed to the Comptroller and to others, and transmitted to the Prison Association through the Corresponding Secretary, briefly discusses and aims to establish the necessity for a new State penal institution, which it proposes to call a State Penitentiary; a topic of very great interest, not only to the Association, but to the people of the State, and to the cause of prison reform; and the undersigned committee, to whom the document was referred, after due consideration, respectfully present the following conclusion:

Painful as may be the thought, experience tends to the conviction of its truthfulness, that, on the advent of peace from the present national struggle, a large increase in the number of criminals may be looked for, with an urgent demand for larger accommodations than now exists for their custody. It will certainly be the part of wisdom for the Legislature to prepare in time for the anticipated necessity, in order to avoid that very serious and too common evil of prisons—overcrowding.

The suggestion of the document before us, for the erection of a new "*State Penitentiary*," appears to us eminently judicious, for the following among other reasons.

First.—It is most likely that a major part of the presumed increase of crime will be of a character too light to justify incarceration in a State prison, and too serious for the mere county jail. The *penitentiary*, with a work-house, is of a grade intermediate between these extremes, and in it, while a lighter ignominy will be attached to the erring ones, greater facilities for their reformation will be afforded than in the State prison.

Second.—It will present an opportunity for the Empire State to erect and arrange a penal institution, furnished with all the modern appliances for the health, the discipline, the labor, the

instruction, and the reformation of its inmates; in short, an institution, which shall be a model of its kind.

The critical and independent examination of all the State prisons, and nearly all the county prisons, of this State, made during the year just closed, by the members of the Prison Association, as well as many less extensive during the nineteen years of its existence, has developed to them the characteristics of this important branch of operations, and given them an understanding of the defects and advantages of our prison systems and management to an extent probably unequalled by any other body having similar objects. They may therefore speak earnestly and plainly their judgment upon the proposition in question.

That there are defects, numerous and serious, in the present prison edifices, and in their systems of management, (for the systems are almost as numerous as the institutions), as well as in the penal laws which fill them, is incapable of refutation. Let us briefly glance, in the first place, at their sanitary characteristics, the point first to be considered in the location and arrangement of a new institution.

First.—It is not without good reason that in the letter of Inspector Tappen, reference is made to the importance of the location of the prison buildings. Not only with regard to the economy of support, the facility of obtaining supplies, and ease of access, but to salubrity also, is this an exceedingly important consideration. In more than one of these particulars, the selection of sites for two of our three State prisons, evinced great defect of judgment, or something worse. Experience has demonstrated, that "the location of Clinton prison is entirely adverse to the profitable employment of convicts, and to comparative cheapness of provisions, and therefore it must not be expected that that prison will ever pay the expenses of its maintenance."*

In point of local salubrity, however, probably a better site could scarcely be found, though the expense of fuel in that frigid region must be very great.

On the other hand, the site of the male department of the Sing Sing prison is the reverse in each particular. With great facility of access by river and railroad, its location, in respect to health, is one of the most unfortunate that could be found. On the very edge of the Hudson river, whose waters rise at times nearly to the level of the plain on which the foundation rests, it

is also under the western brow of a high hill, which intercepts the direct rays of the sun till near noon for a great part of the year, whereby the whole establishment is continually involved in an atmosphere of excessive dampness. It needs no special study to understand the insalubrious consequences. Mouldy walls, musty clothing, grounds never dry, etiolated bodies, and occasional endemic, or aggravation of epidemic diseases, are partial results. During the general prevalence of dysentery in the summer and fall of 1848, over the Northern and Eastern States, this disease committed very extensive ravages at this prison, the medical officer being called upon to render aid to nearly 150 cases within the space of two or three days, for this and similar disorders.

Probably no more striking evidence of the sanitary influence of locality can be found than is presented in the contrast between the situations of the male and female departments of the same prison. The latter, though but a few rods distant, is on the brow of the hill which overshadows the former, where the sun has full access, and the air is comparatively free from the river fogs, thus avoiding the evils of a too moist atmosphere, to which the other is subjected. Though the internal ventilation is no better, and the food is the same as in the male prison, and though the men have the advantage of working more out of doors and in larger shops, the females being almost wholly confined within doors, yet the amount of sickness is relatively greatly disproportioned to the numbers. There is no other satisfactory mode of accounting for the difference than by reference to their varied situations and atmospheres.

Other questions connected with locality are those of *water supply and drainage*. Facilities for these are scarcely less essential to a good sanitary condition than that just alluded to. At the penitentiary at Rochester, except a little water collected from the clouds, all that was used last year by 804 prisoners and the employees, was carted from the river a mile distant, or from wells half a mile off; and so it has been ever since the institution was erected. The effect of this scant supply of that necessary element, upon the comfort and health of the inmates, and upon the cleanliness of their clothing and persons, would be serious, but for unusual labor and attention, while the expense is necessarily very great, and the danger from fire appalling to think of. Requiring for efficiency a good supply of water, the drainage of the

* Fifteenth Annual Report of the Inspectors of State Prisons.

establishment is also necessarily imperfect; in fact, almost impossible.

Several other instances of great deficiency in these particulars in other prisons in the State, productive, in some, of very bad effects, might be mentioned; but the necessity of securing ample facilities for these hygienic measures in any future erection, is too apparent to need further illustration.

Equally important is it that the locality selected be free from *marsh miasmata*, and other causes of fevers, cholera, typhus, diphtheria, *et id genus omne*, well known resultants from terrene and meteoric influences. Recent scientific observations* have demonstrated a considerable difference between the several regions of this State, in relation, 1st, to their geology; 2d, their vicissitudes and ranges of temperature; 3d, the measure of rain, inundating low, or saturating high grounds, or saturating the low and leaving the high arid; 4th, the humidity of the air or variations of the dew point; 5th, the winds, in their varieties of direction, force, and duration; 6th, the electricity, as affecting the condition of both plants and animals; and 7th, the barometric pressure; all of which are now well understood to exert an influence, more or less marked, on the health of man.

The question, therefore, presents itself, will the great State of New York, amid the enlightenment of the present day, in the science of hygiene, to the advancement of which its own sons have largely contributed, both in general and in detail, fail to give heed to its teachings, in the selection of sites for its own institutions, especially those devoted to the care of its most helpless and dependent class, who are, *pro tempore*, denied the exercise of their own wills, and for whom the State is solely responsible? In our opinion, should the proposition of the Inspectors be determined affirmatively, the State cannot afford again to neglect so great an interest.

Second.—Supposing a proper site to be determined upon, then there comes up the equally important consideration of the *internal arrangements* best adapted to the health, the government and the whole economy of the institution.

By the inspections of the State and county prisons made in 1863 by this Association, it was ascertained that with regard to that first and most important consideration of all, *ventilation*, there is an almost universal neglect.

* Medical Topography and Epidemics of New York, by Jas. M. Smith, M. D.

It may be said with truth, that not one of the existing institutions can claim to be *properly* and *thoroughly* supplied with fresh and wholesome air, while in the great majority of them no attempt whatever has been made to furnish it in any systematic manner, even by the ordinary method of windows. In the construction of the largest two, Sing Sing and Auburn, capable of accommodating respectively 1,200 and 1,000 prisoners, imperfect plans were commenced, by which the cells might have been partially ventilated, had they been carried to completion, but inefficient as they were, they are almost entire failures for want of final adjustment.

The unsanitary effect of insufficient and impure air was exemplified at Auburn in 1845 and '46, when dysentery and other similar diseases prevailed to a very serious extent. The sick list of the hospital in one year contained 292 names out of not more than 600 prisoners, of whom 20 died, besides those prescribed for in their cells.

The great advantage of an abundant supply of air, contrasted with the disadvantage of a deficiency, was exemplified in the work house at Taunton, England, during the prevalence of cholera in 1849. In the school of that establishment, but 68 cubic feet of air was allowed to each girl, and less for the boys. In 48 hours there occurred 42 cases and 19 deaths. In a week there were 60 cases, about 22 per cent. of the whole. But in the gaol where each inmate had from 800 to 900 cubic feet, and good ventilation, *not one case occurred*.

In the same year, this disease prevailed in New York, when nearly 6,000 persons were received into the city prison; and, although the disease prevailed with great intensity in its vicinity, which was the very worst locality of the city (6th Ward), *not a case occurred within the walls*, a fact which can only be attributed to the rigid enforcement of sanitary measures by its excellent medical officer, Dr. Covell.

The bill of mortality in the old State prison in New York city, for a course of years, was seven per cent. By official reports, the mortality at Auburn is now about two per cent.

At Lyons, France, the annual mortality in the prison was:

From 1800 to 1806	1 in 19
1806 to 1812	1 in 31
1812 to 1819	1 in 34
1820 to 1826	1 in 43

Other internal arrangements, necessary to be considered in the primary construction of the edifice, are of importance in a sanitary point of view. Such are the modes of warming in the most efficient and economical manner; of lighting, bathing, eating, &c. But we forbear to dwell further upon these topics.

Sufficient has been said to demonstrate the necessity, if the recommendation of the paper under consideration be adopted by the Legislature, of at least one of the commissioners for selecting the site and determining the plans, being thoroughly informed in these matters, believing that a mistake in this, the sanitary branch of the subject, would, as often before, prove disgraceful to the humanity and intelligence of the Legislature and people of the State, and cause much loss of health and life.

Respectfully submitted,

JNO. H. GRISCOM,
SAML. OSGOOD,
JOHN H. KEYSER,

Committee.

NEW YORK, January 6, 1864.

2. ON THE LENGTH OF SENTENCES.

NEW YORK, January 8, 1864.

The special committee to whom was referred a certain communication of A. B. Tappen, Esq., a member of the Board of State Prison Inspectors, being a copy of a letter or memorial addressed to the justices of the supreme court, the county judges, and other judicial officers, presiding at the trial of criminals in the State of New York, dated at Dannemora, Clinton Co., New York, Nov. 27th, 1863, and calling attention to the evil effects arising, or supposed to arise, from unduly long sentences, respectfully report as follows:

The committee acknowledge the importance of the subject submitted to them, and admit that it is one which deserves a thorough examination. There are, however, difficulties in the way of such an examination at the present time. *In the first place*, the time, to which the committee is necessarily limited, is too short to permit them, amid the pressure of other duties, to perform the work in a manner satisfactory either to themselves or the board. *Secondly*, the committee lack the necessary data, in knowledge of the facts bearing on the question, to form an in-

telligent judgment. *Thirdly*, so long as the pardoning power remains as unrestricted as it is under existing laws, the question of the length of sentences is one of much delicacy as well as difficulty. Were there a reasonable certainty that the sentence in any given case would suffer no curtailment through executive clemency, the question of its duration would be one of easier solution. *Fourthly*, the committee are of the opinion that prison discipline societies, as such, can occupy themselves with subjects of this nature safely and judiciously only in conjunction with legislative committees, judges, and writers on penal law and on punishment, and that after profound investigation.

If, in our system of administering justice, in which, necessarily, a considerable latitude must be left to the judge, in assigning the length of imprisonment, sentences of too long imprisonment are occasionally decreed, it must not be forgotten that the frequency of unduly short sentences, is an equal evil, and that, in a State, in which even sentences of death for murder are becoming more and more rare, long sentences are sometimes unavoidable. In inquiring into this subject, it becomes necessary to inquire whether long sentences have been inflicted disproportionately to the crime. The committee do not doubt that this has sometimes been done. They are not prepared to say that it has not been often the case; but they are still less prepared to affirm, positively, that it has.

The sentences of long imprisonment, arising from the simple addition of a number of sentences for a corresponding number of crimes identically the same, for instance, twenty-one years imprisonment for seven acts of forgery, for each of which an imprisonment of three years is awarded; these accumulative sentences for different acts of the same criminality, deserve the gravest attention of lawgivers and jurists. The value of punishment (if we may use this expression) in successive years is not to be judged of by simple arithmetic. The second year of an imprisonment is not a punitive equivalent of the first year, and the third year is heavier or intenser than the first two together. This, too, is a subject of the most serious importance; but your committee think that it is a subject, which must be weighed and considered on a far more comprehensive plan than they find themselves able to do at present.

For the reasons above assigned, your committee, though impressed with the gravity and importance of the question referred

to them, do not consider themselves, as a committee and on so slight an examination as they would, in the time allotted, be able to give to it, competent or authorized to pronounce an opinion thereupon; and they respectfully ask to be discharged from the further consideration of the subject.

FRANCIS LIEBER,
 JAMES H. TITUS,
 JOHN T. HOFFMAN,
 A. S. VAN DUZER,
Committee.

I.

REPORTS OF OFFICERS OF THE ASSOCIATION.

I. ANNUAL REPORT OF THE CORRESPONDING SECRETARY.

The undersigned, Corresponding Secretary of the Prison Association, respectfully submits to the Executive Committee this his first annual

REPORT:

It is fifteen months since the undersigned entered into the active service of the Association, and the present statement will cover the whole of that period. He does not propose a detailed report, but contents himself with offering a mere outline of his labors. He has written 216 official letters; has preached to prisoners in various penal institutions 22 times; has presented the cause of the Association in 11 pulpits in different parts of the State; has made six addresses to ecclesiastical bodies, and obtained from them resolutions of sympathy and commendation; has written numerous articles for the daily and weekly press on topics and for objects connected with our work; has visited and examined 44 prisons of different grades (several of which were beyond the limits of the State,) devoting fully three months to this work; has prepared two extended articles for quarterly journals—one on the Career and History of our Association, and one on the Sources of Crime; has written, besides two annual reports, over 20 special reports on prisons, covering, altogether, many hundreds of manuscript pages; and has secured to the treasury of the Society, from private benefactions and appropriations by the State and city governments, over \$15,000.

He feels deeply grateful to the Executive Committee for past kindness and forbearance, and will enter upon the labors of a new year with an ardor, a courage, and a resolution, quickened and strengthened by their sympathy and generosity.

All which is respectfully submitted:

E. C. WINES, *Cor. Sec'y.*

46 BIBLE HOUSE, NEW YORK, Dec. 30, 1863.

2. ANNUAL REPORT OF THE GENERAL AGENT.

OFFICE OF THE PRISON ASSOCIATION,
12 CENTRE ST., NEW YORK, Jan. 1, 1864. }

To the Chairman of the Executive Committee :

Deeply thankful that, by the good providence of almighty God, we have been preserved in health and life another year, in conformity with previous usage, we respectfully submit the following report of our last year's operations, as well in the field of detention prison cases, as in the discharged convict department.

Detentions.

I need scarcely remind you that this field of our labor extends to every county in the State. To the two cities of New York and Brooklyn, however, your agent's time and attention are more immediately devoted. The magnitude of the work can be but partially conceived from any one stand point. No statement of facts, no scale of figures, no court record of the many thousands of men, women and young people, arrested and confined in our various city prisons charged with crime, would adequately convey its vast proportions.

The following tables of statistics from the report of the Commissioners of Public Charities and Corrections, by Chas. Sutton, Esq., warden of the city prison, shows the work to be of an absolutely gigantic character.

TABLE A.—*First District Prison, Halls of Justice.*

	White.		Black.		Total.
	Males.	Females.	Males.	Females.	
Number remaining in prison, Jan. 1, 1863	1	154	12	1	307
Received during the year	10,734	13,273	501	296	24,804
	<u>10,868</u>	<u>13,333</u>	<u>513</u>	<u>297</u>	<u>25,011</u>
During the year have been discharged...	7,102	2,933	403	288	10,726
Deceased.....	28	10	1	1	40
Sent to Blackwell's Island by police and other courts.....	1,148	1,783	88	7	3,025
Transferred to Blackwell's Island by Commissioners.....	2,336	8,338	111	10,874
Sent to State prison.....	122	11	10	143
Remaining in prison December 31st, 1863.	132	58	11	1	202
	<u>10,868</u>	<u>13,333</u>	<u>513</u>	<u>297</u>	<u>25,011</u>
In addition to the number received at 1st district prison.....	10,734	13,273	500	296	24,804
There were discharged from second district prison.....	2,518	1,667	106	102	4,393
Sent to Blackwell's Island.....	73	182	4	259
Discharged from third district prison.....	1,698	771	16	8	2,493
Sent to Blackwell's Island.....	46	99	3	3	249
Discharged from fourth district prison.....	324	120	3	447
Sent to Blackwell's Island.....	17	27	1	2	47
Total number of commitments during the year.....	<u>15,410</u>	<u>16,139</u>	<u>630</u>	<u>413</u>	<u>32,592</u>

TABLE B.

	Nativity.		Total.
	Males.	Females.	
Number received of native birth....	4,541	4,368	8,909
do foreign birth.....	11,499	12,184	23,688
	<u>16,040</u>	<u>16,552</u>	<u>32,592</u>
Number received who were married..	5,988	6,763	12,751
do single.....	9,296	6,381	15,677
do widowed.....	493	2,988	3,481
do whose social relations were unknown.....	263	420	683
	<u>16,040</u>	<u>16,552</u>	<u>32,592</u>
Number received of temperate habits	4,268	6,280	10,548
do intemperate habits.....	11,772	10,273	22,044
	<u>16,040</u>	<u>16,552</u>	<u>32,592</u>
Number received who could not read	3,295	3,551	6,846
do read only.....	632	8,963	9,595
do and write.....	10,737	2,865	13,602
do were well educated.....	946	98	1,044
do whose degree of instruction was unknown.....	430	1,075	1,505
	<u>16,040</u>	<u>16,552</u>	<u>32,592</u>

TABLE C.—*First District Prison.*

	For what offence committed.		Total.
	Males.	Females.	
Abandonment.....	57	..	57
Aiding soldiers to desert.....	8	..	8
Arson.....	29	8	37
Assault.....	10	..	10
do and battery.....	1,344	378	1,722
do felonious.....	120	15	135
do on the high seas.....	5	..	5
Attempt to commit burglary.....	10	..	10
do larceny.....	20	..	20
do grand larceny.....	6	..	6
Burglary.....	121	1	122
Bastardy.....	22	..	22

For what offence committed.	Males.	Females.	Total.
Bigamy	7	--	7
Breaking jail	1	--	1
Conspiracy	8	--	8
Counterfeiting coin	12	--	12
Contempt of court	3	--	3
Carrying slung shot	2	--	2
Cruelty to seamen	5	--	5
Delirium tremens	12	--	12
Deserting seamen	68	--	68
do soldiers	20	--	20
Disorderly conduct	2,252	3,891	6,143
do boys and girls	15	6	21
Idle or suspicious persons	19	--	19
Embezzlement	15	--	15
Felony	58	--	58
Fraud	5	--	5
Felonious assault	12	--	12
Forgery	128	14	142
Furious driving	7	--	7
Fugitives from justice	8	--	8
Gambling	8	--	8
Grand larceny	418	227	645
Habitual drunkenness	6	36	42
Indecent assault	17	1	18
Illegal voting	17	--	17
Insanity	246	204	450
Intoxication	2,950	6,163	9,113
Juvenile delinquents	66	10	76
Keeping disorderly house	24	28	52
Kidnapping	2	--	2
Larceny	61	26	87
do from the person	12	6	18
Lodgers	41	--	41
Malicious mischief	12	6	18
Manslaughter	2	--	2
Mayhem	1	--	1
Misdemeanors	52	12	64
Murder	50	4	54
do on the high seas	16	--	16
Mutiny and revolt	50	--	50

For what offence committed.	Males.	Females.	Total.
Obtaining goods by false pretences	12	2	14
Opening letters	2	--	2
Petit larceny	1,594	947	2,541
Perjury	6	--	6
Pickpockets	20	1	21
Poisoning	1	2	3
Receiving stolen goods	16	--	16
Rape	15	--	15
Riot	51	--	51
Robbery	56	1	57
Seduction	3	--	3
Selling lottery policies	2	--	2
Surrendered by bail	1	--	1
Vagrancy	892	1,543	2,437
Violation corporation ordinances	20	--	20
Without offence being specified	75	35	110
Witnesses in United States Courts	9	--	9
	<u>11,235</u>	<u>13,569</u>	<u>24,804</u>

TABLE D.—Second District Prison.

For what offence committed.	Males.	Females.	Total.
Abandonment	12	--	12
Assault and battery	123	56	179
Arson	5	--	5
Bastardy	5	--	5
Bigamy	2	--	2
Burglary	18	--	18
Conspiracy	1	--	1
Desertion	7	--	7
Disorderly conduct	864	615	1,479
Embezzlement	2	--	2
Felonious assault and battery	21	1	22
Forgery	32	10	42
Fraud	2	--	2
Furious driving	2	--	2
Fugitives from justice	1	--	1
Gambling	2	--	2
Grand larceny	69	33	102
Insanity	6	--	6

For what offence committed.	Males.	Females.	Total.
Indecent exposure of person.....	2	--	2
Intoxication.....	1,130	829	1,959
Juvenile delinquents.....	9	3	12
Keeping disorderly houses.....	4	3	7
Misdemeanor.....	2	--	2
Malicious mischief.....	6	--	6
Murder.....	2	--	2
Obtaining goods by false pretences.....	4	--	4
Opening letters.....	1	--	1
Petit larceny.....	142	75	217
Picking pockets.....	8	2	10
Perjury.....	2	--	2
Riot.....	26	--	26
Robbery.....	17	--	17
Rape.....	1	--	1
Receiving stolen goods.....	3	--	3
Seduction.....	1	--	1
Shooting.....	1	--	1
Vagrancies.....	71	142	213
Violation of corporation ordinances.....	14	--	14
Witnesses.....	4	--	4
Total.....	2,624	1,769	4,393

TABLE E.—Third District Prison.

For what offence committed.	Males.	Females.	Total.
Abandonment.....	21	--	21
Abortion.....	1	--	1
Assault and battery.....	294	60	354
Arson.....	4	--	4
Bastardy.....	7	--	7
Bigamy.....	2	--	2
Burglary.....	21	--	21
Conspiracy.....	1	--	1
Desertion.....	1	--	1
Disorderly conduct.....	323	191	514
Disobedient apprentices.....	6	--	6
Embezzlement.....	3	--	3
Felonious assault and battery.....	23	1	24
Forgery.....	36	8	44

For what offence committed.	Males.	Females.	Total.
Gambling.....	1	--	1
Grand larceny.....	49	14	63
Insanity.....	3	1	4
Indecent assault.....	1	--	1
Indecent exposure of person.....	3	--	3
Illegal voting.....	3	--	3
Intoxication.....	497	346	843
Juvenile delinquents.....	2	--	2
Keeping disorderly house.....	7	5	12
Murder.....	4	--	4
Malicious mischief.....	6	--	6
Obtaining goods by false pretences.....	6	--	6
Perjury.....	1	--	1
Petit larceny.....	194	98	292
Picking pockets.....	4	2	6
Robbery.....	6	--	6
Riot.....	5	--	5
Rape.....	3	--	3
Receiving stolen goods.....	8	1	9
Seduction.....	2	--	2
Suspicious persons.....	2	--	2
Stabbing.....	1	--	1
Vagrancy.....	156	50	206
Violation of corporation ordinances.....	1	--	1
Witnesses.....	6	2	8
Total.....	1,714	779	2,493

TABLE F.—Fourth District Prison.

For what offence committed.	Males.	Females.	Total.
Abandonment.....	1	--	1
Assault and battery.....	47	13	60
Arson.....	4	--	4
Burglary.....	1	--	1
Contempt of court.....	1	--	1
Disorderly conduct.....	80	23	103
Felonious assault and battery.....	6	1	7
Forgery.....	4	--	4
Grand larceny.....	3	1	4
Indecent exposure of person.....	1	--	1

For what offence committed.	Males.	Females.	Total.
Insanity	1	--	1
Intoxication	97	50	147
Malicious mischief	1	--	1
Misdemeanors	2	--	2
Petit larceny	36	13	49
Poisoning	1	--	1
Rape	1	--	1
Suspicious persons	2	--	2
Vagrancy	33	19	52
Violation of corporation ordinances	3	--	3
do Central Park	2	--	2
Total	327	120	447

TABLE G.

Nativity of prisoners committed during the year 1863.	Males.	Females.	Total.
Ireland	7,390	10,960	18,350
United States	4,852	3,902	8,754
Germany	1,905	868	2,773
England	622	403	1,025
Scotland	212	219	431
France	160	57	217
Canada	142	60	202
Italy	90	6	96
West Indies	33	1	34
Prussia	70	1	71
China	23	--	23
Nova Scotia	32	--	32
Austria	21	--	21
Poland	55	--	55
Sweden	61	--	61
Unknown	133	68	201
Norway	14	--	14
Switzerland	20	1	21
Wales	24	3	27
Cuba	7	--	7
Spain	28	2	30
Denmark	30	--	30
Russia	22	--	22
Belgium	24	--	24

Nativity of prisoners committed during the year 1863.	Males.	Females.	Total.
South America	35	--	35
Africa	2	--	2
Mexico	3	--	3
Asia	16	1	17
Sandwich Islands	1	--	1
Bavaria	3	--	3
Greece	6	--	6
Total	16,040	16,552	32,592

TABLE H.

Classification of the ages of the male and female prisoners received during the year 1863.

Ages.	Males.	Females.	Total.
Under 15 years	1,238	403	1,641
From 15 to 20 years	1,707	1,650	3,357
20 to 25 do	3,096	3,198	6,294
25 to 30 do	2,457	3,792	6,249
30 to 35 do	2,154	2,115	4,269
35 to 40 do	1,455	2,321	3,776
40 to 45 do	1,126	985	2,111
45 to 50 do	1,000	1,039	2,039
50 to 55 do	736	393	1,129
55 to 60 do	525	365	890
60 to 65 do	285	129	414
65 to 70 do	179	111	290
Over 70 years	82	51	133
Total	16,040	16,552	32,592

From the foregoing tables it will be seen that 32,592 persons were arrested in New York city, during the last year.

In the adjoining city of Brooklyn, Kings county, other thousands were charged with various offences, and disposed of by our criminal courts, within the same period.

This terrible crowd was composed of persons of many countries, tongues and races, from the child of tender years to the hoary headed and hardened offender of over "three score years and ten," as follows:

Nativity.	Males.	Females.	Total.
Number of native born.....	4,541	4,368	8,909
do foreign-born.....	11,499	12,184	23,683
	<u>16,040</u>	<u>16,552</u>	<u>32,592</u>
Number of temperate habits.....	4,268	6,280	10,548
do temperate habits.....	11,772	10,272	22,044
do who could not read.....	3,295	3,551	6,846
do under 15 years of age.....	1,238	403	1,641
do from 15 to 20 do.....	1,707	1,650	3,357
do from 65 to 70 do.....	179	111	290
do over 70 years of age.....	82	51	133

If these figures be true, ignorance is *not* the mother of devotion; and the use of intoxicating drinks is the prolific source of vice, crime, poverty, disease and death.

Your agent had frequent opportunities of visiting and conversing with a large proportion of the above, many of whom were charged with serious offences against property and person, of which the testimony showed them to be guilty. Others, and they were not a few, were innocent of the accusations preferred against them; but it must be conceded that a large portion of the 32,592 committed to our detention prisons, were persons of irregular habits, who lived utterly regardless even of their own interests, and of laws human and divine.

What a fearful state of things! In an economic point of view, what an enormous expense to our cities, counties and State! But worse than this, what a dreadful sacrifice of time, of health, of character, of prosperity and social and domestic enjoyment; whilst the consequences to the mind and soul of these erring ones, and of others influenced by their pernicious example, for the present and the future world, are frightful in the extreme. What has produced this mass of festering evil, we have not time to discuss here. It *exists*, it is an alarming reality, we see it, we know it, we feel it, and your agent, from the deepest recesses of his soul, is often led, involuntarily, to cry out with one of old, "Oh, that my head were waters and mine eyes a fountain of tears, that I might weep day and night for the slain, of the daughter of my people."

But we give to the wind our fears; we see a bright light in the horizon. We pause and listen: Philanthropy asks, can

the moral condition of the community be improved? Can vice and crime be diminished? Is this large class of erring creatures, confined in our prisons susceptible of reformation? Can they be saved? Can this tide of physical and moral ruin be stayed? Is it within the range of possibility? Christianity emphatically answers, yes, a thousand times, yes. There is balm in Gilead, there is a Physician there. "He delighteth not in the death of a sinner." "Let the wicked forsake his way, and the unrighteous man his thoughts, and let him return unto the Lord, and He will have mercy upon him, and to our God, for He will abundantly pardon." "He despiseth not the sighing of the prisoner." "He saveth to the uttermost." This is good news indeed. Yes, this is the Gospel, the Gospel of the blessed God, which maketh wise unto salvation. Alas, alas, that men should live so utterly indifferent to these precious truths. Of the 32,592 committed to our prisons the last year, how few, comparatively, ever heard an instructive lecture, an evangelical sermon, belonged to a Sabbath school, or carefully read a good and useful book! We ask, should such a state of things, appalling as it is, discourage us? Certainly not. Rather let it excite us to increased zeal and earnestness in the use of appropriate means, by which we may diffuse light, and, instrumentally, save them. The very difficulties of the task before us should inspire us with ardent desire for our Master's work. Even our sorrow gives us consolation in the promise that, "he that goeth forth and weepeth, bearing precious seed, shall doubtless come again with rejoicing, bringing his sheaves with him."

Visitation of Prisons.

No one who has given the subject a thought will doubt, that there must be persons arrested for alleged offences who are, from a variety of causes, improperly charged, and that it often happens that innocent persons are in danger of being convicted and punished through mistaken, false or vindictive witnesses. Having no means to procure the professional aid of honest and competent lawyers, they are, though innocent, without some friendly and philanthropic interposition, in great peril.

It is well known that your agent visits daily some one of our city prisons, making it the business of his life to carefully select such cases, and to glean and group together whatever circumstances of extenuation can be found in their behalf, to be, at the proper time, submitted to the authorities.

There is a large class of prisoners always to be met with awaiting trial, who have blundered into crime, not so much from an innate depravity, as from mere accident or thoughtlessness—the young and inexperienced in crime, the guilty but penitent, and where restitution is cheerfully made,—such cases we are glad to meet with and promptly aid. Cases of this kind are submitted, with their extenuating circumstances, to the district attorney, a truthful representation is respectfully presented to our courts, and a merciful disposition of them solicited by your agent, as the following brief summary for the year will show.

1863.

	Number of persons visited in our various detention city prisons who were poor and friendless, and requiring advice and counsel.	Number of complaints entered in which features of extortion were seemingly apparent.	No. of complaints abandoned or discontinued on our interposition and advice, they being convicted or their charges dismissed, through mistake, passion or mistake.	No. of persons discharged for whom they had been indicted for crimes, inexperienced in crime, and evidently persuaded of their innocence and non-merit of the charge.
January, about	400	92	27	24
February	350	85	31	26
March	400	68	23	21
April	500	88	31	34
May	450	90	43	27
June	500	76	27	31
July	450	81	23	26
August	400	79	27	31
September	450	73	31	23
October	400	91	37	44
November	500	57	19	37
December	450	69	32	41
	<u>5,250</u>	<u>949</u>	<u>351</u>	<u>365</u>

The following cases taken from our diary of detentions are given merely to show the principles on which the Association is based, and the character of its work: its corner stone is truth, its foundation humanity and love.

No. 1—was brought into court for trial, charged with grand larceny, in stealing a watch valued at \$30. Your agent ascertained that she had never been in prison before; this being evidently her first offence. Under these circumstances, the district attorney accepted a plea of petit larceny, and the court sentenced her for 4 months to the penitentiary.

She thanked the Association for saving her from a term in the State prison, and we trust that, as this was her first, so it will be her last, criminal offence.

No. 2—called on the agent to say, that since her husband was sentenced to Sing Sing prison, herself and family were greatly distressed, and without some aid they must perish. I wrote to the commissioners of public charities and corrections in their behalf. With commendable promptitude the family was visited, coal was sent to their home, and semi-monthly pecuniary aid afforded them.

No. 3—begs the Association to influence the commissioners of public charities to discharge her mother, who is nearly 90 years old, now an inmate of the Island workhouse. She had been sent up by a police justice for 6 months, it having been represented that she had no home. This was evidently a mistake, as the daughter had ample means to support her. On our application she was immediately discharged.

The mother and daughter subsequently called to thank the Association for their kind and effective interposition.

No. 4—was the wife of a prisoner in Sing Sing prison. She represented that she was in great poverty, which she apprehended would be seriously increased, as she expected soon to be confined.

Her marriage certificate was procured, and she was introduced to the managers of the lying-in asylum, Marion street. Her excellent character influenced those benevolent ladies to admit her to that very useful institution, one of the best of our city charities.

No. 5—was indicted for grand larceny; the day was fixed for his trial; he wrote to a friend who knew him familiarly when in France, to say that he had resolved to take his own life, and before the arrival of his letter he should be beyond an earthly tribunal, by poison. In this, he was happily thwarted. On the day he was to be tried, he threw himself from the third story of the city prison, sustaining a compound fracture of the ankle and leg, his arm was also broken. In this condition he was conveyed to the penitentiary hospital, where he received the kindest medical treatment. He was now brought back to his old quarters in the Tombs to await his trial; he was unable to stand or walk unaided by crutches; he will be a cripple all his days.

Under these circumstances, your agent consulted the dis-

trict attorney, submitting all the facts, and that it probably was the first offence he had perpetrated, *and so said those who knew him best.* We suggested that a plea of an attempt be put on the record, and the mercy of the court solicited in his behalf. The district attorney acquiesced, and the judge humanely sentenced him for a few days to the city prison, on the condition that he leave the country by the next ship for his home. He expressed his grateful acknowledgements to all those who had in any way aided him in this his hour of his greatest need.

No. 6—This was a very trying day for persons of both sexes who were discharged from our various prisons, workhouses and hospitals without home, money or friends. A severe snow storm prevailed during the entire day.

Nineteen of this unfortunate class called at the office of the Association during the day; their pressing necessities were met; we fed the hungry, and bestowed trifles on those especially who had children to provide for. Oh, that we possessed more ample funds for the most hopeful of such cases.

No. 7—was indicted for a felonious assault and battery with intent to kill. This man has a wife and large family. Your agent, having reason to believe this man innocent, felt some interest in his case; hence we subpoenaed the witnesses and attended his trial. Counsel was assigned by the court. We sat by his side; our business we felt to be solely to keep him from saying a word. After hearing the testimony, and without a defence, the jury very properly acquitted him. The Association ministered to the wants of this family; they left the court, showering blessings upon us for the interest shown them.

No. 8—had been in prison some time, awaiting his trial on a charge of felonious assault and battery. He had a wife and three children in abject want. We waited on the district attorney and begged him to place the papers before the grand jury; this was done on the following day; no bill was found. The prisoner was discharged and restored to his family.

No. 9—was, on the complaint of her husband (before a police justice),—who testified that she was intemperate—sentenced for six months to the work house on Blackwell's Island.

Several reputable persons subsequently called at our office to represent that they knew this couple well; that the wife was a clean, sober, respectable woman; that the man was not to be believed on oath, and that he had evidently some ulterior object in

view in placing her away. Careful inquiries were made into all the circumstances of this case; the result justified the Association in procuring her discharge.

No. 10—was placed on trial in court of general sessions on an indictment for grand larceny, stealing various articles of wearing apparel, valued at \$140, from the keeper of a house of ill fame.

The prisoner, with shame, acknowledged that she had been induced to live with this brazen madam the last three weeks. It is the practice of these degraded creatures to supply these poor erring girls with gaudy garments at fabulous prices, to be paid for by the proceeds of their prostitution. The clothes alleged to be stolen were precisely such. We appealed to the court to assign her counsel. The complainant was examined by the district attorney. On her cross-examination she was manifestly willing to swear to anything, regardless of the sanctity of her oath. At this instant the district attorney abandoned the case for the prosecution, and suggested that the court instruct the jury to find a verdict of not guilty. This was done, and the accused was acquitted and instantly discharged, with an order to the property clerk to give her up said property. The result was exceedingly gratifying to all present, except the madam.

No. 11—had been an inmate of the Tombs for six weeks, on charge of stealing \$50 from a dwelling house. When the money was missed by complainant, he called his two children, aged thirteen and nine respectively, and angrily threatened to almost destroy them if they refused to tell him what had become of it, and where it was gone. The younger child persisted she knew nothing of it, that no one had been to the apartments but the accused; she and she only had called there. The elder girl told her father that she did not see Mary when she had called, but that Mary met her at the corner of 18th street, when she gave her an empty pocket book, telling her it was her father's, and requested her to replace it in his trunk and never divulge the secret. The father immediately applied to a police justice for a warrant for the arrest of this woman. When brought up for examination, she solemnly protested her innocence, and affirmed that the testimony was a tissue of untruths; but the children were believed and she was committed for trial. Your agent had repeated interviews with the prisoner. Her story appeared to him truthful. We very carefully enquired into her past history. Her antecedents were found to be good. Our sym-

pathies were enlisted in her behalf, simply because we regarded her as innocent of the charge. We waited on the District Attorney, and submitted all the facts as we understood them. The papers were found, when it was discovered that the complainant had called some time previously, to inform the authorities that he regretted to say, his *elder child now confessed she had taken the money from his trunk, and what was said of Mary, the prisoner, was untrue.* He expressed a strong desire that the prisoner should be honorably discharged.

When this state of facts was developed, we sent for the complainant to attend at the district attorney's office, or rather to appear before the grand jury, that the case might be properly disposed of; but they had left for the day. An affidavit was then prepared, when it was our great happiness to take her discharge to her. The Association gladly sent her home.

This poor woman is a widow, having lost her husband by death three months since. She was left with two small children, and had, in the prison, *since her arrest,* given birth to the third. We are accustomed to meet with juvenile depravity every hour of every day, but such cases as the above we are happy to say are very rare.

No. 12—Six boys, whose ages ranged from nine to fourteen years, were tried and convicted of petit larcenies in the court of special sessions, and remanded for sentence. Your agent, at the request of the court, had made careful enquiry into their past history and character. In five out of the six cases, it was their first offence. Their parents were seen and urged to look more carefully after their children; they severally promised to do so; hence the sentences on each were very lenient.

In the other case, a truthful report was made, that he is notoriously addicted to stealing. The court very properly sent him to the house of refuge for the reformation of juvenile delinquents.

No 13—was seen by me in the city prison, weeping sadly. She represents that her husband is a man of excessively intemperate habits, and utterly regardless of his family's interests; that he contributes nothing towards their support; for years all the expenses of her home have been met by her personal exertions. On Monday last he came home intoxicated, noisy and offensive; she meekly reprov'd him; when he found a big stick and with it broke several articles of furniture, earthenware, &c.; she naturally felt excited, and taking the club from his grasp, she laid it

heavily over his thick and empty head; he shouted, police; an officer arrived; she was arrested and held to answer.

On the following morning we visited the home of this family; at 9 o'clock the husband was in bed; we compelled him to quit it; his three children were in a small adjoining room, unwashed and without food; we administered to him a caustic lecture, threatening to have him sent to the penitentiary unless he immediately reforms.

We waited on the committing magistrate, submitting all these facts, and respectfully asking the wife's discharge, she being the sufferer, and he the guilty one. We ascertained that she stood fully committed for trial, and consequently, could not be released except on bail. The association, through its agent, became responsible for her appearance in court on the following Friday, when she was released from prison. On that day there were no witnesses against her and she was discharged. She prayed for a shower of blessings on the Association.

No. 14—Twelve persons, tried in court of general sessions and convicted of the crimes imputed to them, were brought up for sentence this morning.

The Association, through its agent, with its uniform care and caution, had inquired into the character and habits of those prisoners. The result was submitted to the court, which influenced in some degree its judgment in the sentences.

One of the above was indicted for receiving stolen goods; he had bought four or five hats, which were stolen from a respectable firm on Broadway. The accused and his family were well and favorably known to us; we applied to the complainant and satisfied him that this man had worked for one employer over nine years; his reputation was very good. The sympathies of the complainant were enlisted for this suffering prisoner and his afflicted family. He waited on the Recorder in their behalf; his Honor permitted the prisoner to leave the court with his wife and starving children; they ejaculated, "may God bless the Recorder," and we heartily responded, amen. Judgment was suspended.

This poor fellow was in feeble health at the time; we much fear the event accelerated his death; he survived but a few weeks subsequent to his discharge.

The family were aided by the Association to their former residence, far away in the country.

No. 15—was convicted of petit larceny, stealing property valued

at 84 cents. The court was about to sentence her, when an application was made for a suspension of judgment, until the following Tuesday. The court refused; an earnest request was then made to defer it until the following morning; consent was given. We had seen the accused in prison and conversed with her; we were impressed in her favor, believing her to be incapable of so mean an act. She reluctantly informed us where she lived, with the address of her friend. Without delay, we sent on a messenger from the office of the Association by railroad, requesting them, if interested in her behalf, to come to court; on the following morning, 13 ladies and gentlemen arrived from a distant city, most of whom are very respectably connected (as was shown.) These persons testified to a state of facts demonstrating at once, that for the last 20 years she was never suspected of committing a wrong act.

After considerable discussion by the court, the judgment was suspended and the prisoner was discharged. Herself and numerous friends returned hearty thanks for our friendly interposition.

No. 16—a small boy, was hurriedly tried and convicted of petit larceny, and sentenced to the house of refuge. Your agent subsequently ascertained that this little fellow knew nothing of the larceny. An application was made to the court and he was discharged. His friends called to thank the Association for its timely interposition.

No. 17—was tried in court of general session on an indictment for grand larceny. The jury returned a verdict of an attempt at grand larceny. He was remanded for sentence, with a request by the court that the Association would make some enquiry as to his habits and general reputation.

The result of our investigation showed that the prisoner is not a dishonest man. On the occasion of the alleged complaint, he had, when under the influence of strong drink, jumped up in a butcher cart in mid-day, whilst hundreds of pedestrians were passing and repassing, and evidently drove off without having a felonious intention.

His employers were seen, and those who knew him best testified they had known him for many years past as a very honest man, but much addicted to intemperance, all of which we submitted to the court.

His honor, the Recorder, with his characteristic good sense and quick perception, instantly saw this to be a case where he could

exercise his discretion with advantage to the prisoner and safety to the community. Judgment was suspended and he was discharged.

These few cases will suffice to give some idea of the character of our every day labors. Hundreds of others might be adduced: it will be distinctly understood, that our principal object in visiting the inmates of our prisons is to do them good; not so much to save them from merited punishment, as to influence them to pause, to consider, to repent, to reform.

Much attention has been given to young delinquents; our interposition has sent many to the House of Refuge for reformation, whilst we have been in various ways of service to others.

The friendless, the penniless, the solitary, the stranger within our gates, have been counselled and aided; we have labored to win and constrain men to forsake their evil ways, and simply by expressions of disinterested sympathy, without fee, reward, gratuity, or recompense.

Your agent thankfully acknowledges the urbanity and attention of those connected with the administration of criminal justice in New York and Brooklyn. The advice and counsel, so cheerfully afforded him in the prosecution of his labors by the district attorneys and their assistants, he will ever remember with hearty thanks.

Your agent could not have accomplished the work he has, if kindred benevolent institutions had been indifferent and stood aloof. Our Association has been favored with their co-operation. To the commissioners of public charities and corrections, we feel personally obliged for their prompt assent to all our reasonable applications. To that excellent and well managed institution, *the Magdalen*, we feel deeply thankful. Many a poor young creature has been transferred from the courts, on our interposition, to their care; in no case have we been refused; and many of them have given evidence of a great moral change.

Discharged Convicts.

Eight hundred and fifty-four discharged convicts, on their release from our state prisons, county jails and penitentiaries, were furnished with board (in whole or part) for a short time, or were temporarily aided with pecuniary means, which enabled them to reach their friends or employment away from the city.

One hundred and twenty-eight discharged convicts were sup-

plied with clothing, or other necessities, such as boots, shoes, hats, caps, under clothing, &c.

One hundred and seventy-one discharged convicts, and others from our various prisons, were provided with work and places.

It is a matter of much importance to the prisoners generally, to find when they leave the prison, an open door, where they may enter with a hearty welcome. A discharged convict recently informed us, that it is a source of great comfort to them, even when in prison, to know where to apply when they are released. The other day, when we handed a good warm overcoat, pants and under garments, to one of this class, he wept like a child, saying: "Thank God for such a start as this; it is more than I could have hoped for. May God bless the Association!"

We have said before, and we repeat, that the discharged convict has our sympathies. There are few conditions in life more embarrassing. He feels conscious of his guilt and degradation. He is afraid of himself and every one he meets. He apprehends that his former acquaintances, his familiar friends, and probably his very relatives will shun him, and those who look at him will recognize him as a prison bird. Of those who may have spent many long years in a State prison, it may truthfully be said, "they are strangers in a strange land." Several have called upon us, of late, with faculties impaired and almost demented. To such it would be an act of humanity and mercy to retain them for life rather than return them to the world, incapable of self-support or self-control. Your agent has found it very difficult to provide them employment. Under these circumstances, temporary relief is indispensable to the convict and important to the interests of the community. Upwards of eight hundred men and women, discharged from prisons, have called at the office of the Association, asking advice, employment, food, clothing, and pecuniary aid, within the last year. We aided them as their peculiar circumstances required.

The subjoined cases, taken from our diary, are presented to illustrate the nature and results of our labor in this department.

No. 1.—Calls at our office from the penitentiary to say, that he is now 40 years old, 30 years of which have been spent in the various prisons of our State. He thinks but few persons have had experience and knowledge of prison life equal to himself. He was once sentenced for 10 years to the State prison; after

-serving 6 years, he was removed to the lunatic asylum, where he spent 7 years; since then, nearly all his time has been passed in our penitentiaries and workhouses. He is this morning in a terrible condition, in "soul, body and estate." He was temporarily aided.

Had this poor, weak, partially demented, and imperfectly developed creature, been provided with a permanent home in some one of our almshouses, he would have been exempted from a train of terrible evils, the authorities saved a world of trouble, and our county and State a large and unnecessary expenditure.

Such cases as the above are *not rare*; hence, our courts should have the power to make prompt and appropriate disposition of them, and *not* consign these morally irresponsible unfortunates to a State prison.

No. 2.—Was convicted of grand larceny on his own confession: and was sentenced to Sing Sing prison for two years.

He calls at the office of the Association to say, that he was much addicted to intemperance before his arrest; it was the cause of all his mishaps. He thinks it will be the object of his life to avoid it, and the places where it is sold, as well as the society of those who indulge in its use. Before he went to prison he never read the Bible; and now it is a lantern to his feet, and he prayerfully hopes God Almighty will dispose him to make it the rule of his life.

He says he especially loves the Savior's sermon on the Mount. When asked, "Are you not afraid of forgetting what you now seem to know and love?" he replied, "Yes, there is great danger; I must pray and watch, and watch and pray, and then I am sure the Savior will sustain and save me."

This young man was encouraged to persevere in well doing. He was aided until provided with permanent employment, where he is now doing well.

No. 3.—On his release from the penitentiary after a short sentence, calls at our office, and says he wants to reach a neighboring State, but has no money, and shall feel obliged to the Association for the loan of a few dollars for this purpose. As he had committed no "infamous crime," we advised him to join the army, but he emphatically said *no*, that he was educated by his parents, and taught by the ministers, to hate war and bloodshed, and to love peace. He was aided pecuniarily.

On the following Tuesday he calls again; he likes the appearance
[Assem. No. 65.] 30

ance of things, and intimates a willingness to enlist as soon as the newspaper reports of our recent victories are confirmed.

On Thursday he enters our office, "laughing all over his face," having on his regimentals (he is a fine looking soldier). He has one stripe on his arm (Corporal). We playfully placed our hand on the solitary stripe, saying, "'tis better to have even this one than to deserve 40 on the bare back." He promptly replied, "If merit can secure promotion, I shall return (if God spare me) from the war, with shoulder straps, and a clear conscience."

No. 4—We were leaving our office, when a man whom we had known as an inmate of Sing Sing Prison came up to the door and said, "Mr. Beal don't you know me? do you forget me?" I replied, "Oh no, I remember your living in our State mansion on the Hudson." He said, "and I shall never forget it either; I suffered two years for a grand larceny; I was partly guilty, but not so guilty as the prosecutor represented; I am now an altered man; I am not yet what I should be, but I don't drink, I don't swear, I never will steal, and I do try to pray that the Lord will make me a great deal better than I am; I think he will, upon my word I do. And now, Mr. Beal, I am glad to see you, very glad; I used to think your society a good one, as your gentlemen and their friends came up on Sundays to preach to us there; I hope you will never forget the poor fellows in prison; do often go up and cheer them; they want kind words, for hard words and severe punishments will not make them better men. Please accept five dollars from me to help on your Association; if I was rich, I would put a lot of naughts to the figure 5. Good bye. God bless you, Mr. Beal."

No. 5—A father and son (Germans) were tried in court of sessions, Brooklyn, Kings county, on an indictment for grand larceny. They were convicted and sentenced to Sing Sing for a term of four years and six months each.

They worked in the cabinet shop, conducted themselves with propriety, avoided all extra punishments, and left the prison with the respect of the officers.

These men had been in this country but two months when they were induced by a countryman to accompany him to do a profitable job and make money quick. They went with him. He brought out of a store several garments and handed some to them. An officer was on the spot. He, being a dexterous thief, escaped; they, being inexperienced, were arrested and punished.

They solemnly assure us this was their first offence, and that it shall be their last.

The Association at once introduced the father to work. The son has lung complaint, and cannot live long. They were visited and pecuniarily aided. In their expression of thanks, they both seemed very sincere.

No. 6—Had spent three months in the penitentiary. He says, "a prison is not the very best place in the world for one who has transgressed, to reform. There exists nothing likely to influence erring men to live better lives; but, on the contrary, a thousand things are seen, heard and practised, even by those placed over you, which so operate as to make a man hate himself and all mankind."

The only benefit the prison has been to him, he said, is simply that he has had time to think. The result of his reflections is, it does not pay to violate or disregard law and right. He hopes to do better in time to come.

His external appearance was improved, and means afforded him to reach a distant city, where he could get work.

No. 7—Was the recipient of executive clemency many years since. The Association was instrumental in placing him in a good situation, where for several years he showed himself the upright and scrupulously honest man.

His uniform and irreproachable history subsequent to his being pardoned, has greatly encouraged the Association in its trying labors. In every member, his undeviating consistency has secured him a firm and stedfast friend. He calls to see us, and when referring to the past, feelingly expresses himself as willing to lose his left arm from the shoulder bone, could that only stain of his life be blotted out, and forgotten by himself and others.

No. 8—On his own confession, plead guilty to an indictment for grand larceny. He was remanded for sentence, with the request of the court, that the Association would ascertain what had been his past history. He had arrived in this country but a short time before; hence but little could be gleaned of his antecedents. He was sentenced to State prison for two years.

On his discharge, he calls at our office and represents that he is from the old country. His friends are respectable and Christian. They gave him a liberal education. He left home with "great expectations" of securing remunerative and permanent employment in a broker's or merchant's office here. In all his

efforts he was unsuccessful. He had spent all his money pledged all his clothing, and being in arrears at his boarding house, he was requested to leave. "He began to be in want." For seventeen nights he had no bed. "He was hungry, and no man gave unto him."

He had, without motive, retained the key of the street door, when he left his boarding house. On a very wet night, it occurred to him, could he get access to even the hall to screen him from the storm he should feel grateful. He made the attempt and succeeded. He was then tempted to enter one of the rooms, where he opened a trunk, and by the light of the moon was enabled to abstract some clothing, a watch, &c. These were sold. With the money he provided himself a few necessary articles, shoes, &c. He then made a vigorous effort and obtained employment, where he remained four months, when he was discovered and arrested on suspicion of committing the theft. He admitted his guilt, and has served out the sentence. We advised him to call on his late employer, who sympathized with him when arrested, and would probably do so now. He did call, and was welcomed back to his employment.

No. 9.—Had spent five years in Sing Sing prison, on conviction of passing counterfeit bills. He feels that his punishment, especially the first four years, was degrading and severe.

The last twelve months, under a more humane treatment, introduced by Mr. Hubbell, the agent and warden, the prisoner became more thoughtful. At length he made the Bible and himself his daily study; his soul and its salvation occupied his best thoughts, and he became an altered man.

On his release he calls at our office; we obtain employment for him at his own business, but his sight is so much impaired he is reluctantly compelled to give it up, and has left this country altogether. He was aided with a free passage to Europe by one of our ship owners, who has often distinguished himself by similar acts of christian kindness.

We have great confidence in the permanent reformation of this poor man.

No. 10.—A mother and two daughter, aged 17 and 23 years, left the island this morning. The mother became a widow two years since. During her husband's protracted sickness, to procure him the common necessities of life, every portable article she owned was pledged; their troubles multiplied; and since

his death, distress came upon them like an avalanche. One after the other fell sick, and there was no alternative but to seek a shelter in the workhouse. They were all admitted, and remained there a month.

They call at our office; we listen to their sorrowful story; we think it truthful; and believe most of their past suffering was occasioned by circumstances beyond their control. We instantly introduced this family to a lady in a neighboring city. She acted the part of a good Samaritan. Places were provided for each of them within 24 hours. *They are doing well.*

The Association cheerfully rendered them pecuniary aid. Poor things! Oh, how they wept! and with grateful emotion.

No. 11.—Was arraigned in the court of Oyer and Terminer, Brooklyn, Kings county, on an indictment for infanticide.

She was induced by counsel to plead guilty to the charge of manslaughter in the second degree, and was remanded for sentence. When again brought into court and placed at the bar, your agent addressed his Honor, Justice Emmott, in her behalf. We respectfully submitted the facts as we understood them, clearly showing that this poor girl was not guilty of manslaughter in the second degree, and, in our deliberate judgment, no jury could be found to convict her in such degree. We contended that the law would be amply vindicated, and its claims fairly met, by a plea in the fourth degree. The district attorney consented to the withdrawal of the one and the substitution of the other plea.

She was then sentenced to Sing Sing prison for two years. After serving out this term, except 34 days, saved by commutation for her uniform good conduct, on her discharge she called at our office to thank the Association for our thoughtful care of her, and to ask our advice as to the future.

We at once placed her with a quiet family, where she remained some time, in the hope that she may acquire useful knowledge, as it will be some time before she is capable to hold a permanent situation.

After the lapse of three months, she made such progress that the family cheerfully introduced her to a place in the country; and a grateful girl she is. *She is doing well.*

Looking back upon the labors of the last ten years, your Agent is painfully reminded of many a case where pecuniary aid to an adequate amount would, in all probability, have restored the head of a family to usefulness in society, by enabling him to re-

commence his life with his loved ones, but the Association was powerless from want of funds, and the individual means of your Agent, and the result of his personal appeals to members of the Executive Committee, were both exhausted.

Increased funds will now enable us to accomplish more for those who desire to reform, and the contrast between our present power of doing good, and that entrusted to us when your Agent commenced his labors ten years ago, is indeed cause for profound gratitude.

Much, however, remains to be done, and it is sadly true that, while human nature and our social system remain unaltered, the field of exertion in behalf of the erring and the guilty is almost boundless.

We feel that the same considerations which sustain and encourage us in our efforts, give us a claim upon the aid of all classes, for our object is to defend and save the innocent; to give to society in the reformation of the criminal a surer safeguard than the walls or bolts of any prison house; and to save, for the service of God, souls more precious in his sight than all other created things; a labor which tends to peace and good will on earth, and, when successful, causes joy among the angels of Heaven.

In thus concluding this brief report of my labors, I have again fervently to thank Divine Providence for past successes, and to express my gratitude for the encouragement rendered me in the performance of my duties by the Executive Committee.

All which is respectfully submitted:

ABRAHAM BEAL.

OFFICE OF THE N. Y. P. ASSOCIATION,
No. 12 Centre st., New York, Dec. 30, 1863. }

3. ANNUAL REPORT OF THE TREASURER.

The Prison Association of New York, in account with William C. Gilman Treasurer.

1863.	Dr.	
Dec. 31.	To cash paid for salaries and commission..	\$4,333 21
	Rent.....	413 25
	Stationery, fuel, furniture and other expenses Centre Street office.....	323 29

Stationery, fuel, furniture and other expenses Bible House office.....	\$169 72
Traveling, prison visitation, inspection, &c.....	410 24
Relief of discharged prisoners.....	731 07
Printing and annual report.....	77 74
Deposit with assistant treasurer of United States.....	6,000 00
Balance on hand to new account.....	684 85
	<hr/>
	\$13,148 37

1863.

Cr.

Jan. 1. By Balance from old account.....	\$378 71
Donations received during the year.....	7,160 00
Appropriation from the State treasury..	3,000 00
Appropriation from the City treasury....	2,500 00
Returned by discharged prisoners.....	16 91
Sale of waste paper and type metal.....	89 25
Interest from United States trust company.....	3 50
	<hr/>
	\$13,148 37

1864.

Jan. 1. By balance from old account.....	\$684 85
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WM. C. GILMAN,

Treasurer.

NEW YORK, January 14, 1864.

Audited, New York, Jan. 1864.

H. K. BULL,

Chairman Finance Committee.

J.

DONATIONS IN 1863.

Archer, George B.....	\$100 00
Astor, John J. Jr.....	100 00
Aspinwall, Wm. H.....	100 00
Abeel, J. H.....	20 00
Alsop, J. W.....	10 00
Appleton, D. & Co.....	10 00
Arnold, Constable & Co.....	10 00

Adams, John T.....	\$5 00
Boorman, James.....	100 00
Brown, James.....	100 00
Booth Wm. T.....	100 00
Bull, Henry K.....	100 00
Brown, Stewart.....	25 00
Brown, James M.....	25 00
Brevoort, J. Carson.....	25 00
Booth, Wm. A.....	20 00
Blanco, B.....	15 00
Brown, W. Harman.....	15 00
Boker, H. & Co.....	15 00
Butler, Wm. Allen.....	10 00
Bethel Mission Sunday school, Brooklyn.....	10 00
Badger, Jacob.....	5 00
Cash (from one person).....	100 00
Crosby, Wm. B.....	100 00
Caswell, John.....	100 00
Corning, H. K.....	100 00
Cooper, Edward.....	100 00
Conger, A. B.....	100 00
Caldwell & Morris.....	100 00
Caldwell, S. B.....	25 00
Cary, W. F.....	25 00
Cottinet, F.....	25 00
Cutter, Stephen.....	25 00
Collins, Joseph B.....	10 00
Collins, Stacy B.....	10 00
Cruikshank, James.....	5 00
Clark, H.....	5 00
Clark.....	2 00
Dodge, Wm. E.....	100 00
Duncan, Sherman & Co.....	100 00
Denike, A.....	50 00
Dennistoun & Co.....	25 00
Dodge, Wm. E. Jr.....	10 00
Doubleday, J. N.....	5 00
Ely, Z. S.....	50 00
Eddy, Lucy H.....	25 00
Ewarts, Wm. M.....	10 00
Flemming, Augustus.....	5 00

French Consol General.....	\$5 00
Gilman, Winthrop S.....	100 00
Gilman, William C.....	100 00
A. G.....	50 00
Gerard, James W.....	25 00
Grannis, H. E. (Newark, N. J).....	10 00
Graves, R. R. & Co.....	5 00
Howland, Joseph.....	100 00
Howland, Meredith.....	100 00
Hall, Valentine G.....	25 00
Halsted, Wm. M.....	25 00
Holden, James C.....	25 00
Hedges, Miss C. A.....	20 00
Hunter, James.....	20 00
Hart, Charles B.....	10 00
Hendricks Brothers.....	10 00
Hegeman, Wm.....	10 00
Hay, Allan.....	10 00
Hoe, R. & Co.....	10 00
Hawes, L.....	10 00
Hunt, Wilson G.....	10 00
Harper & Co.....	5 00
Irvin, Richard.....	20 00
Iselin, A.....	10 00
Johnston, John Taylor.....	100 00
Jesup, Morris K.....	10 00
Jay, Christ & Co.....	5 00
Jones, W. R. T.....	5 00
Lenox, James.....	200 00
Lenox, the Misses.....	200 00
Lorillard, P.....	100 00
Ludlum, Nicholas.....	25 00
Low, A. A.....	20 00
Lake & McCreery.....	5 00
Minturn, R. B.....	100 00
Morse, S. F. B.....	100 00
Morgan, George D.....	100 00
Morgan, Henry T.....	50 00
Meigs, C. A.....	25 00
Moore, W. H. H.....	25 00
McLane, Allan.....	50 00

Middleton, T. D.	\$25 00
Miller, E. H.	25 00
Morgan, E. D.	20 00
Munn, O. D.	10 00
Mott, Wm. F.	10 00
Morgan, Henry.	10 00
McCurdy, R. H.	10 00
Morewood & Co.	5 00
Marsh, J.	5 00
Messinger, Thomas.	5 00
Milhau, J.	5 00
Norrie, A.	100 00
Naylor & Co.	25 00
Newbold, Cleayton.	25 00
Noyes, Wm. Curtis.	25 00
Newcomb, Charles.	5 00
Olyphant, R. M.	100 00
Oelrichs, & Co.	10 00
Opdyke, George.	10 00
Oothout, Wm.	10 00
Parish, Daniel.	100 00
Potter, Howard.	25 00
Pacific Mutual Ins. Co.	20 00
Pavenstedt, & Co.	10 00
Pepenhuisen & Konigt.	10 00
Perkins, L.	10 00
Paton & Co.	10 00
Palanca, R.	10 00
Penfold, J.	10 00
Parsons, J. E.	10 00
Platt, E.	10 00
Post, William.	10 00
Passavant & Co.	5 00
Pierson & Co.	5 00
Perry, Theodore.	5 00
Perkins, D. & Co.	5 00
Prosser, Thomas & Son.	5 00
Powers, T. J.	5 00
Robert, C. R.	100 00
Roosevelt, C. V. S.	100 00
Rhineland, Wm. C.	25 00

Richards, Guy.	\$20 00
Robbins, George S.	10 00
Rusch & Co., A.	5 00
Recknagel & Co.	5 00
Rodewald, A.	5 00
Rogers, C. H.	5 00
Ryder, E. T.	3 00
Spencer. Mrs. C. L.	100 00
Sheafe, J. F.	100 00
Stuart, R. L.	100 00
Shipman, C. H.	100 00
Stokes, James.	100 00
Sturges, Jonathan.	100 00
Sackett, Adam T.	100 00
Stewart, A. T.	50 00
Schieffelin, H. M.	25 00
Schieffelin, Jas. L.	25 00
Schieffelin, Samuel B.	20 00
Schieffelin, S. A.	10 00
Schieffelin & Co., P.	10 00
Schieffelin, Bradhurst.	5 00
Schieffelin, H. H.	5 00
S. A. S.	10 00
Schepeler & Co.	10 00
Smith, Gerrit.	10 00
Swan, O. D.	10 00
Solomon & Hart.	5 00
Schmidt, J. W.	5 00
Sands, Mrs. A. B.	5 00
Stamford Manufacturing Co.	5 00
Schlesinger & Son, F. S.	5 00
Stoughton, E. H.	5 00
Skidmore, S. T.	5 00
Smith, U. J.	5 00
Sand, C. H.	5 00
Terbell, H. S.	100 00
Titus, Jas. H.	25 00
Trimble, George T.	20 00
Talbot, C. M.	20 00
Tapscott, Brother & Co.	10 00

Townsend, Chas. A.	\$10 00
Tappan, J. Nelson	5 00
Tucker, Wm.	5 00
Usher, Selden	10 00
Van Rensselaer, A.	100 00
Van Duzer, A. S.	10 00
Vose, John	5 00
Victor, F. & Achelis	5 00
Van Horne, Miss A. M. C.	5 00
Wolfe, John D.	250 00
Wales, Salem H.	110 00
Ward, George C.	100 00
Weston & Gray	100 00
Willets, Samuel	100 00
Wines, Rev. E. C.	100 00
Woolsey, E. J.	50 00
Walker, Joseph	25 00
Wetmore, Samuel	20 00
Wallace, Miss Isabella	10 00
Wallace, Miss Mary	10 00
Walsh, A. R.	10 00
Wiggin, Augustus	10 00
Wilson, J. C.	5 00
Wilmerding, Hoguet & Humbert	5 00
Wake, Rev. Richard	5 00
White, George E.	5 00
Williams, R. S.	5 00
Young, Henry	25 00

K.

HONORARY, CORRESPONDING, AND LIFE MEMBERS.

I. HONORARY MEMBERS.

*OSCAR I.	King of Sweden and Norway.
*Hon. B. F. BUTLER,	New York.
*Hon. John Duer,	do.
Hon. Jno. W. Edmonds, ..	do.
Rensselaer N. Havens, ...	do.
Abraham Van Nest, ...	do.

II. CORRESPONDING MEMBERS.

*M. ALEXIS DE TOUQUEVILLE, } M. G. De Beaumont, } M. C. H. Lucas, }	Members of the Institute of France.
M. Demetz,	
M. G. Blouet,	Architect du Gouvernement, Paris.
I. 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.
Hon. Matthew Davenport Hill, Bristol, England.	
Edwin Chadwick, Esq., ...	London.
Dr. Verdeil,	Member of the Great Council, Vice President of the Council of Health at Lausanne, Switzerland.
Dr. Goss,	Geneva, Switzerland.
Jacob Post, Esq.,	London.
*Rev. Louis Dwight,	Secretary of the Prison Discipline Society, Boston, Mass.
Francis Lieber, LL.D., ...	Prof. Political Science, Columbia College, New York, and Cor. Member of the Institute of France.
Wm. Parker Foulke, Esq., Philadelphia, Pa.	
Stephen Colwell, Esq., ...	do.
M. Moreau Christophe, ...	Chevalier of the Legion of Honor, France

* Deceased.

Dr. Varrenthrap,.....	Germany.
Samuel G. Howe, M. D.,	Principal of the Institution of the Blind, Boston, Mass.
Edward Haviland,.....	Philadelphia, Pa.
J. M. Ward, M. D.,.....	Newark, N. J.
Miss Mary Carpenter,...	Bristol, Eng.
Miss Dorothea L. Dix, ..	Boston, Mass.
Prof. Nathan David,....	Copenhagen, Denmark.
Hon. Charles Sumner,...	Boston, Mass.
Prof. I. L. Tellkamp,...	Berlin, Prussia.
*John Haviland,	Prison Architect, Philadelphia, Penn.
*George Sumner, Esq.,...	Boston, Mass.
John Lytle,.....	Philadelphia, Pa.

N. B. The physician, warden and chaplain of every State Prison in the country are, *ex-officio*, corresponding members of the Association.

III. HONORARY LIFE MEMBERS OF THE EXECUTIVE COMMITTEE,
MADE SUCH BY THE PAYMENT OF ONE HUNDRED DOLLARS OR UP-
WARDS AT ONE TIME.

George B. Archer,.....	New York.
Wm. H. Aspinwall,.....	do
J. J. Astor, Jr.,.....	do
James Boorman,.....	do
Wm. T. Booth,.....	do
James Brown,.....	do
H. K. Bull,.....	do
John Caswell,.....	do
Samuel B. Caldwell,.....	do
Edward Cooper,.....	do
A. B. Conger,.....	do
Wm. B. Crosby,.....	do
H. K. Corning,.....	do
James Warren Delano,.....	do
William Delano, Jr.,.....	do
Wm. E. Dodge,.....	do
*George Douglass,.....	do
*Wm. Douglas,.....	do
Winthrop S. Gilman,.....	do
Wm. C. Gilman,.....	do

* Deceased.

Meredith Howland,.....	New York.
Jno. Taylor Johnston,.....	do
James Lenox,.....	do
Miss Lenox,.....	do
Miss Lenox,.....	do
Peter Lorillard,.....	do
Robert B. Minturn,.....	do
Samuel F. B. Morse,.....	do
Geo. D. Morgan,.....	do
Adam Norrie,.....	do
R. M. Olyphant,.....	do
Daniel Parish,.....	do
Charles Parker,.....	do
C. R. Roberts,.....	do
C. V. S. Roosevelt,.....	do
Adam T. Sackett,.....	do
Joseph Sampson,.....	do
Mrs. Mary Sheafe,.....	do
C. H. Shipman,.....	do
Henry M. Schieffelin,.....	do
R. L. Stuart,.....	do
James Stokes,.....	do
Jonathan Sturgis,.....	do
Mrs. Catharine L. Spencer,.....	do
H. S. Terbell,.....	do
Alexander Van Rensselaer,.....	do
Joseph Walker,.....	do
George C. Ward,.....	do
Salem H. Wales,.....	do
Samuel Willets,.....	do
Rev. E. C. Wines,.....	do
John David Wolfe,.....	do
J. Walter Wood,.....	do
William Wood,.....	do
Joseph Howland,.....	Matteawan, N. Y.
Mrs. Jos. Howland,.....	do do
Rev. Nathan S. S. Beman, D.D.,	Troy, do
Rev. H. G. Ludlow,.....	Oswego do
Rev. Mr. Darling,.....	Hudson, do
Rev. G. W. Perkin,.....	Meriden, Conn.
William Andrews, Esq.,.....	do

IV. LIFE MEMBERS OF THE ASSOCIATION, MADE SUCH BY THE PAYMENT OF TWENTY-FIVE DOLLARS OR UPWARDS, AT ONE TIME.

J. W. Alsop.....	New York.
Jno. H. Anthon.....	do.
Mrs. Jno. J. Astor.....	do
Wm. B. Astor.....	do
*David Austin.....	do
*Anthony Barclay.....	do
*Henry Barclay.....	do
*John Bard.....	do
Thomas Barron.....	do
C. Bartlett.....	do
Edwin Bartlett.....	do
Samuel J. Beebe.....	do
August Belmont.....	do
James G. Bennett.....	do
E. L. Benson.....	do
Bartholomew Blanco.....	do
*Henry Brevoort.....	do
J. Carson Brevoort.....	do
Louis K. Bridge.....	do
Mrs. Arthur Bronson.....	do
Sydney Brooks.....	do
S. Broom.....	do
Stewart Brown.....	do
Jas. M. Brown.....	do
George Bruce.....	do
Orsamus Bushnell.....	do
Mrs. Burr.....	do
*Benj. F. Butler.....	do
Ira Bliss.....	do
*Mrs. Maria Banyer.....	do
*Henry Chancoey.....	do
Wm. T. Coleman.....	do
E. K. Collins.....	do
Israel Corse.....	do
F. Cottinet.....	do
Cyrus Curtiss.....	do
Stephen Cutter.....	do
Wm. F. Cary.....	do

*Deceased.

Henry C. De Rham.....	New York
Abraham Denike.....	do
*John Duer.....	do
Lucy H. Eddy.....	Eliz'eth'n, N.J.
*Thomas Eddy.....	do
J. W. Edmonds.....	New York.
Z. Stiles Ely.....	do
P. W. Engs.....	do
B. H. Field.....	do
H. W. Field.....	do
Hamilton Fish.....	do
James Foster, Jr.....	do
James Freeland.....	do
Wm. P. Furniss.....	do
F. Garner.....	do
Jas. W. Gerard.....	do
*John Gihon.....	do
Arthur Gilman.....	do
*William C. Gilman.....	do
J. B. Graham.....	do
E. Boonen Graves.....	do
John C. Green.....	do
Henry Grinnell.....	do
*Seth Grosvenor.....	do
*Jasper Grosvenor.....	do
Eliza P. Gurney.....	Burl'gton, N.J.
Ogden Haggerty.....	New York.
Valentine G. Hall.....	do
Mrs. Valentine G. Hall.....	do
*Wm. M. Halsted.....	do
L. P. Hawes.....	do
*Timothy Hedges.....	do
A. Heckscher.....	do
E. Herrick.....	do
Silas C. Herring.....	do
James Horn.....	do
B. W. Howe.....	do
Edgar M. Howland.....	do
*G. G. Howland.....	do
*S. S. Howland.....	do

Deceased.

James C. Holden.....	New York.
Thomas Hunt.....	do
George F. Hussey.....	do
Richard Irvin.....	do
John Jay.....	do
*Miss Ann Jay.....	do
E. S. Jaffray.....	do
*J. R. Jaffray.....	do
Solomon Jenner.....	do
James J. Jones.....	do
Walter R. Jones.....	do
Alexander S. Johnson.....	do
William Kemble.....	do
Wm. L. King.....	do
J. Kinsman.....	do
Charles P. Kirkland.....	do
Josiah Lane.....	do
Mrs. Langdon.....	do
Samuel Leeds.....	do
Jacob Le Roy.....	do
Jacob R. Le Roy.....	do
*C. M. Leupp.....	do
*H. B. Livingston.....	do
Daniel Lord.....	do
Rufus L. Lord.....	do
*Cornelius Low.....	do
Nicholas Low.....	do
N. Ludlum.....	do
A. A. Low.....	do
Abijah Mann.....	do
Edward H. Miller.....	do
J. Matthews.....	do
James McBride.....	do
Allan McLane.....	do
*Wm. T. McCoun.....	do
C. A. Meigs.....	do
Thomas D. Middleton.....	do
W. H. H. Moore.....	do
E. D. Morgan.....	do
*Matthew Morgan.....	do

* Deceased.

H. T. Morgan.....	New York.
Wm. F. Mott.....	do
*Lindley Murray.....	do
*R. H. Nevins.....	do
Cleayton Newbold.....	do
Wm. Newell.....	do
Wm. Niblo.....	do
Wm. Curtis Noyes.....	do
Charles O'Connor.....	do
D. W. C. Olyphant.....	do
Wm. Oothout.....	do
*John J. Palmer.....	do
E. Parmly.....	do
F. Pell.....	do
J. Phalon.....	do
Geo. D. Phelps.....	do
Howard Potter.....	do
P. R. Pyne.....	do
Robert Bay.....	do
Freeman Rawdon.....	do
Wm. C. Rhineland.....	do
Geo. S. Robbins.....	do
Samuel B. Ruggles.....	do
Israel Russell.....	do
*David Sands.....	do
Gas. L. Schieffelin.....	do
*Peter Schemerhorn.....	do
*Dudley Selden.....	do
J. F. Sheafe.....	do
Austin Sherman.....	do
B. B. Sherman.....	do
Cornelius Smith.....	do
A. T. Stewart.....	do
T. B. Stillman.....	do
*Gerard Stuyvesant.....	do
Mrs. Helen Stuyvesant.....	do
L. I. Suarez.....	do
Otis D. Swan.....	do
Charles N. Talbot.....	do

* Deceased.

Moses Taylor.....	New York.
James H. Titus.....	do
S. P. Townsend.....	do
Geo. T. Trimble.....	do
Archibald S. Van Duzer.....	do
Abraham Van Nest.....	do
James Van Nostrand.....	do
P. S. VanRensselaer.....	do
A. Ward.....	do
W. Walker.....	do
*Robert D. Weeks.....	do
Prosper M. Wetmore.....	do
Samuel Wetmore.....	do
Eli White.....	do
James R. Whiting.....	do
*Stephen Whitney.....	do
William E. Wilmerding.....	do
B. R. Winthrop.....	do
*R. H. Winslow.....	do
E. J. Woolsey.....	Astoria, N. Y.
Henry Young.....	New York.
*Wm. S. Packer.....	Brooklyn, N. Y.
Matthew Vassar.....	Poughkeepsie, N. Y.
H. Burrell.....	Salisbury, N. Y.
Rev. J. S. Clark.....	Waterbury, Conn.
Rev. Mr. Elliott.....	do
Rev. Mr. Searls.....	Meriden, Conn.
S. D. Gregory.....	Jersey City, N. J.

* Deceased.

L.

CHARTER AND CONSTITUTION.

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 of the said Association, pursuant to the constitution thereof, shall be and hereby are 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* such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any purpose other than those for which this corporation is founded.

ARTICLE I.

The object 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.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer, and an executive committee.

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 may 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 object in view, may become auxiliary to this Association by contributing to its funds and co-operating with it.

ARTICLE X.

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

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 power to keep, detain, employ and govern the said persons, as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate and concerns of said Association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said 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 minor-

ity, to such persons and at such places, to learn such proper trades and employments, as in their judgment shall 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 hereby granted and imposed, they shall possess all the powers and authority, that by the twenty-fourth section of title first, chapter third, part fourth of the revised statutes, are vested in the inspectors of county prisons; and the duties of the keepers of each prison that they may examine, shall be the same in relation to them as, in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of any prison shall be made, until an order for that purpose, to be granted by the chancellor of this State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situated, shall first have been had and obtained; which order shall specify the name of the prison to be examined, the names of the persons, members of the said Association, by whom the examination is to be made, and the time within which the same must be concluded.

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

This bill having been read the third time, and 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.

[L. s.] In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, in the year of our Lord one thousand eight hundred and forty-six.

ARCHD. CAMPBELL, *Dep. Sec. of State*.

REVISED STATUTES.—Part IV, Chapter 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 prison, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

M.

BY-LAWS OF THE PRISON ASSOCIATION OF NEW YORK.

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

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

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

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

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

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

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

VI.—There shall be four standing committees, namely :

- A committee on finance,
- A committee on detentions,
- A committee on discharged convicts, and
- A committee on prison discipline.

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

1. To devise ways and means for obtaining the funds necessary to carry on the work of the Association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the Association; and no bill shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the Association, under the authority of the executive committee.

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

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

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

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

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

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

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

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

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

- To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: health, reforma-

tion, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

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

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

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

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

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

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

APPENDIX D CONTINUED.

In conformity to an appointment by the Prison Association; I visited, in the early part of January, 1864, the county jails of Columbia, Greene, and Ulster counties. The construction and arrangements of these jails have been fully described in reports made to the Prison Association by Hon. John Stanton Gould. No alterations have since been made, and it is therefore unnecessary again to describe them in detail.

Neither of these jails is surrounded by a wall to prevent access of persons outside the jail to the windows. It is therefore difficult to prevent communication from the outside with the prisoners, or even the passing in to them of liquor or implements for breaking jail.

54. COLUMBIA COUNTY PRISON.

This jail occupies one of the wings of the county court house at Hudson. The male department has twelve cells, built of masonry, and arranged in two tiers, one over the other. The entrance to the department is from the main hall of the court house into a wide passage, which extends behind the cells the whole length of the wing, and is lighted by a window at the end. A cross passage leads to the space between the front wall of the cells and the front wall of the building. The doors of the cells are on the side towards the front wall of the building. The windows in the latter and the one at the end of main passage afford all the light and ventilation of the jail. A platform, less in width than the space between the walls, extends from the cross passage along the front of the upper cells. From this platform, stairs lead to the level of the floor of the lower cells. The only supply of air to the cells is through the cell doors, which are made of crossed bars of iron. The ventilation of the cells is therefore very defective, and the constant use of disinfectants is necessary to prevent the air becoming exceedingly offensive.

There are two rooms for female prisoners; one on the main floor of the court house, and one on the second floor. Both are entered without passing into the male department, and are entirely separate from it. At the time of my visit, a man charged with murder was chained in one of the rooms. This

same man had been committed in 1862 for an assault and battery on a child, who was dreadfully bruised and mangled by him, and had been discharged on straw bail. In the other room, three female prisoners (two of them white and one black) were held. Each of the rooms for females has a window, and the ventilation is much better than that of the male department. Both the male and female departments are heated by stoves.

The jail is insecure. Two prisoners escaped during the year 1863, by digging under the wall. One was retaken; the other enlisted, and the charge against him was withdrawn before he was discovered. He was not re-arrested.

Food, Clothing, Cleanliness.

The food is wholesome and sufficient in quantity. It is the same all the year, being for breakfast, mush, milk and bread, and for dinner, beef and vegetables four times a week, pork and beans twice, and fish once. Three meals a day are furnished during the long days of summer, and two meals at other seasons. When only two meals are furnished, additional food is given in the evening when asked for. The prisoners, except those confined to their cells for punishment, take their meals in their cells or in the main part of the jail, as they prefer.

The jail is kept clean, and is whitewashed monthly. There is a tap and basin, and an abundant supply of water in the male department. Water is taken in pails to the female department. Soap, towels and razors are furnished as they are required. The under-clothing and bedding of the prisoners are washed weekly.

Health.

No death has occurred, and no serious disease has been contracted in the jail during the year 1863. A number of prisoners, perhaps ten or twelve, have had delirium tremens, and there have been some cases of scrofula and venereal disease. Medical attendance has been furnished when required.

Three insane persons were committed to the jail. One of them was sent to the State Asylum at Utica, and two to the county poorhouse, where there is a building set apart for the insane.

Discipline

The prisoners are locked in the cells at 8 P. M. The cells are opened at 7 A. M. No work is done by the prisoners. All the cells of the male department being in one room, there can be no separation of different classes of prisoners. When not confined

in their cells, they can associate with each other, and those not confined in cells can communicate through the grated doors with those who are. No jailor or keeper remains inside the jail with the prisoners. The prisoners are allowed to send and receive letters, and the privilege is largely availed of. The only restriction is, that all letters are read by the officer. The friends of the prisoners are allowed to visit them to a reasonable extent. Prisoners are allowed to purchase with their own money any articles, the use of which is not forbidden in the prison. No money, except their own, is given to them on leaving the prison.

The only punishments administered are, deprivation of food, confinement in a cell, and chaining to the floor. The sheriff stated to me that during the year 1863 there were six cases in which food was withheld for twenty-four hours; one case in which food was withheld for the same period, and only bread and water given during the next twenty-four hours; and one case in which no food was given for twenty-four hours, and only bread and water for a week. The punishment in the two last named cases was for attempts to break jail, and assaults upon the officer. In six cases, prisoners were chained to the floor of a cell by a chain about three feet long, for a short period.

Moral and Religious Instruction.

There is no library in the prison. Bibles are furnished, and the sheriff provides such papers and tracts as he can obtain for the use of the prisoners. There is no chaplain connected with the jail, and but one person, Mr. Charles Paul, of Hudson, has visited the jail during the year for the purpose of instructing or improving the prisoners.

The commitments during the year 1863, were as follows:

	Males.	Females.
Assault and battery.....	88	26
Assault with deadly weapons.....	8	1
Assault with intent to ravish.....	1	--
Assisting murderer to escape.....	1	--
Bigamy.....	4	1
Burglary.....	7	--
Breach of the peace.....	36	8
Bringing liquor into the jail.....	--	1
Criminal contempt.....	--	1
Creating nuisance.....	--	1

	Males.	Females.
Drunk and disorderly.....	21	7
Disorderly conduct.....	113	74
Dangerous driving.....	2	--
Disturbing religious meeting.....	1	--
Execution against the body.....	2	1
Enticing away a female for the purpose of prostitution.....	2	--
False pretences.....	5	3
Grand larceny.....	20	8
Habitual drunkenness and neglect of family.....	2	2
Hindering an officer.....	1	--
Keeping house of prostitution.....	2	15
Indecent exposure of person.....	1	--
Malicious mischief.....	12	--
Malicious trespass.....	3	--
Murder.....	1	--
Petit larceny.....	96	32
Petit larceny after former conviction.....	1	--
Public intoxication.....	52	13
Prostitution.....	--	23
Passing counterfeit money.....	2	--
Perjury.....	4	2
Riotous conduct.....	2	--
Riot and assault.....	3	--
Resisting officer.....	3	--
Receiving stolen goods.....	2	--
Rescuing cattle from officer taking them to the pound.....	--	2
Rape.....	1	--
Refusing to assist an officer.....	1	--
Seduction.....	1	--
Threats of personal violence.....	--	1
Unlawful marrying.....	--	1
Threatening to abandon family.....	1	--
Vagrancy.....	103	58
Violating city ordinances.....	10	1
Violating excise law.....	--	1
Witness.....	--	2

Making a total of 898, of which 613 were males, and 285 were females.

The sheriff estimates that the number of prisoners in the jail has averaged, during the year, about fifteen; that the average duration of sentences has been about thirty days. The greatest number of prisoners at any one time during the year was thirty-three. At the time of my visit, there were ten male and three female prisoners in the jail. Prisoners convicted of the more serious offences are sentenced to the State prison or penitentiary. But few prisoners are sentenced to the jail for a longer period than sixty days. Very many of the prisoners committed are never brought to trial, the complainants not appearing against them.

There are many cases of the same persons being committed several times during the year for the same class of offences. The number of commitments for malicious mischief, during the first nine months of 1862, was forty-six. During the whole of the year 1863, there were but twelve commitments for this offence. The sheriff attributes the decrease to the fact that seven or eight boys of the city of Hudson, addicted to this crime, have been sent to the house of refuge.

No record is kept at the jail of the previous moral culture, habits, place of birth, &c., of the persons committed. Returns in respect to these points are, however, made as required by law, for all persons sentenced in the county. The sheriff thinks that nine-tenths of all the offences for which commitments are made, result, directly or indirectly, from intemperance. He estimates that three-quarters of all the persons committed are foreigners.

The annual expense of maintaining the jail is about \$4,000.

55. GREENE COUNTY PRISON.

The Greene county jail at Catskill was built in 1812. The jail is on one side of a hall extending through the house. The jailor and his family occupy the rooms on the other side of the hall. There are two rooms on the ground floor and two in the second story, in which prisoners are confined. Each room has a door opening into the hall, and a window in the exterior wall. The jail is kept clean, and the air of the cells is not impure. Two prisoners escaped during the year. One of them, a boy, escaped through a hole in the cell door, not over nine inches square; the other escaped when employed in cleaning out the cell. Both were retaken.

Food, Cleanliness, Clothing.

The prisoners have three meals a day, which are taken in the cells. They have meat or fish for breakfast and dinner. They have in addition, bread and coffee for breakfast, and bread and potatoes for dinner. Fresh meat is given during the winter months, and salt meat the rest of the year. For supper they have bread or suppawn, with molasses, or bread and meat. The jailor is paid \$3 per week by the county for the board of the prisoners. The county pays in addition for fuel and the clothing, bedding and washing for the prisoners. The jail is kept clean, and is washed out once a fortnight. There is no water in the jail, but as much water as is required is supplied from a cistern outside. Clean sheets and towels are supplied once a week. The other bedding is renewed only when worn out, unless vermin get in it. Soap and razors are furnished as required. The prisoners have sufficient clothing, which is not distinctive in character. The cells are warmed by stoves.

Health.

There has been no death in the prison during the year 1863. One person was brought to the jail supposed to be drunk, but was found to be dead. Three persons were committed with delirium tremens. One of them was brought in with this disease five times during the year. The doctor's bill for the year was about \$20. Two insane persons brought to the jail were sent the day after their committal to the county poorhouse.

Discipline.

No work is done in the jail. There being no common part of the jail, the prisoners are not let out of their cells except to clean them out, or to do necessary work about the jail. The only punishments used are shackles or chaining to the floor. The longest period during which a prisoner has been chained to the floor was three days. Prisoners are allowed to see their friends at reasonable times, and to write and receive letters. Writing materials are furnished as required, and three or four letters per week are sent.

Moral and Religious Instruction.

The is no library in the prison, and no reading matter is furnished to the prisoners except the bible and such newspapers or tracts as the jailor may happen to have. The only visitor during the year whose object was the improvement of the prisoners, was

a lay Baptist, who has generally come once a fortnight. The commitments during the year (exclusive of deserters) were as follows:

	White.		Colored.	
	Male.	Female.	Male.	Female.
Arson	2	--	--	--
Burglary	--	--	2	--
Disorderly conduct	11	4	--	--
Drunkenness	26	8	2	--
Contempt of Court	1	--	--	--
Execution against the body	5	--	--	--
Grand larceny	--	1	1	--
House breaking and attempt at rape	--	--	1	--
Petit larceny	6	1	5	--
Incest	1	--	--	--
Insane	2	--	--	--
Stealing from a sleeping person	2	--	--	--
Attempt at pocketpicking	1	--	--	--
Vagrancy	2	--	1	--
Witness	1	--	--	--
Total	50	14	12	--

At the time of my visit there were nine prisoners in the jail. The average number of prisoners in the jail during the year 1863, has been about six. The greatest number at any one time was six, and the least number two. Many of the sentences were for ten days. The longest sentences were for three months. The deputy sheriff estimated the average duration of the sentences to be about sixty days. Commitments under the excise law cannot exceed ten days. One person was committed three several times for ten days each, in one period of forty days, for violation of the excise law.

Expenses.

The expense for board and washing for the prisoners for the year was about \$1,200. The other expenses were about \$300 more.

56. ULSTER COUNTY PRISON.

The jail adjoins the court house, and the only entrance to it is from the hall of the court house. The male department is on the ground floor, and has a corridor about 10 feet wide, extending through the middle, and lighted by a window at the end. On each side of this corridor are the cells, each of which has a window in the outer wall of the building. The female department

is immediately over the male department, and similar in arrangement. It is reached by a stairway from the corridor of the male department. The stairway is closed by a trap door at the top. There are two dungeons in the cellar, which are used for the punishment of prisoners. At the time I visited the jail, there were confined in it eight male and six female prisoners. Five prisoners had escaped during the year 1863. They all escaped at the same time by digging under the wall. Three of them were retaken. The food appeared to be sufficient and wholesome. The prisoners made no complaint of it. The time at my disposal at this jail was not sufficient to enable me to make a full examination or to obtain from the books of the jail a statement of the commitments for the year.

All of which is respectfully submitted.

EDWARD COOPER.

New York, Feb., 1864.

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