

FIFTH REPORT

170-1849

OF THE

PRISON ASSOCIATION

OF

NEW-YORK:

INCLUDING A LIST OF

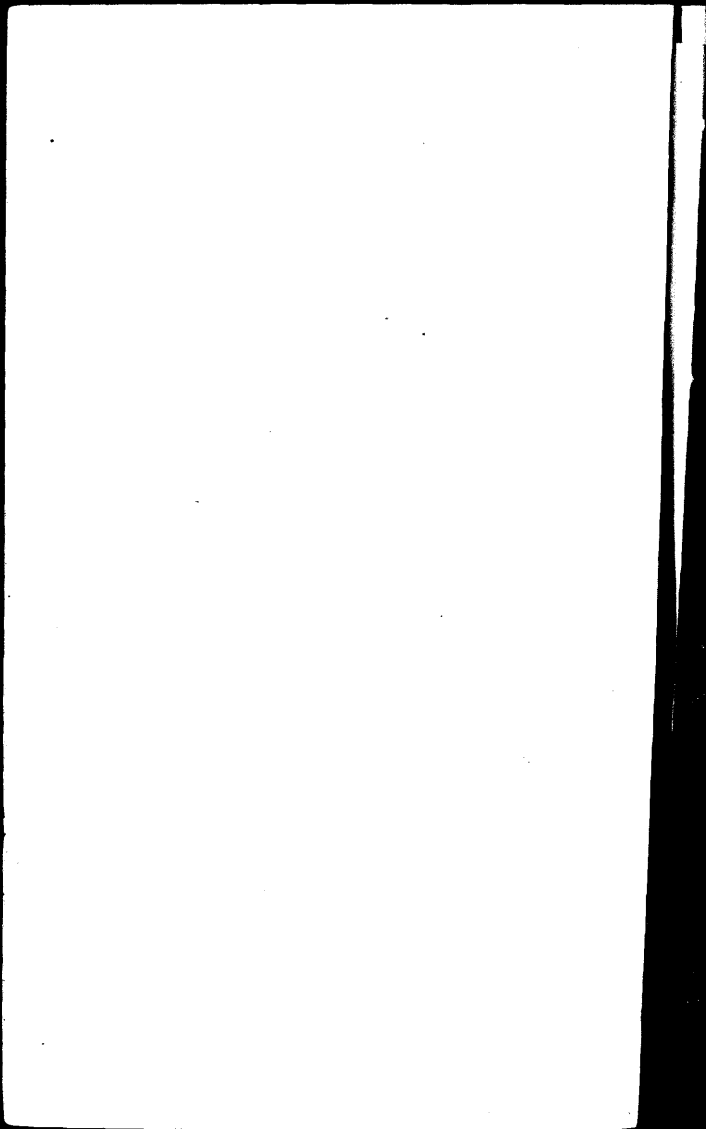
THE OFFICERS AND MEMBERS.



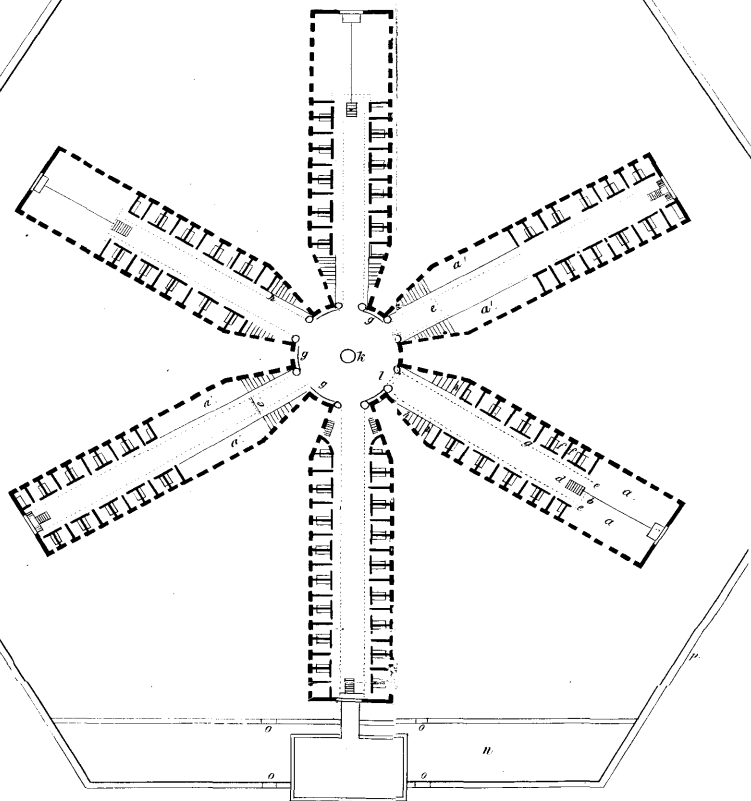
ALBANY:

WEED, PARSONS & Co., PUBLIC PRINTERS,

.....  
1850.



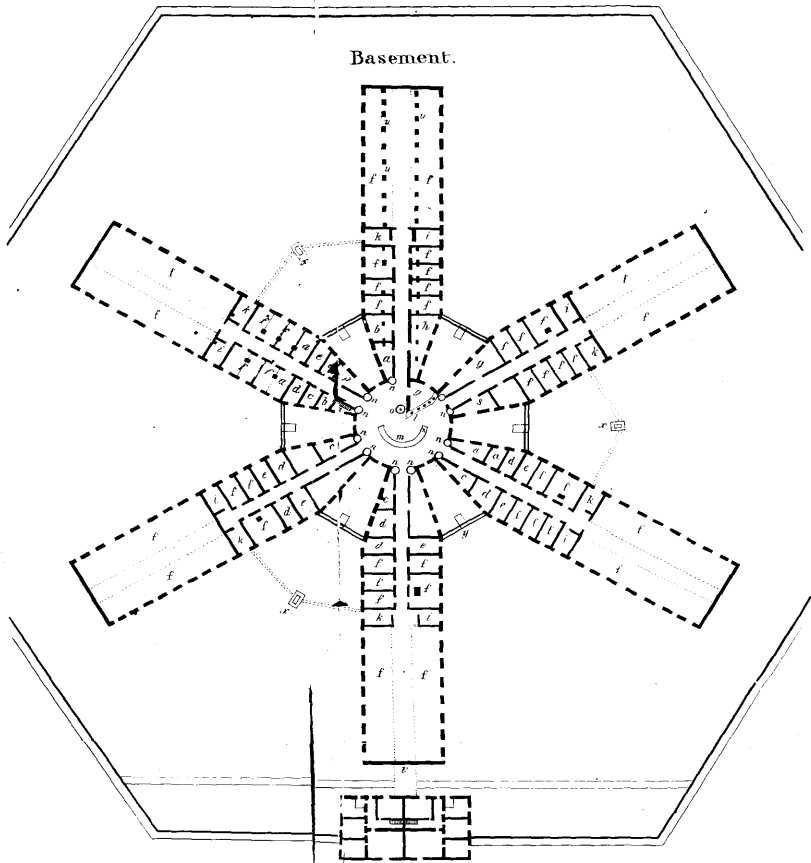
Prison



- a. Work Shop for Gallery.
- b. Partition separating Workshop on right Gallery, from Workshop on left.
- c. Keepers Desk and Seat.
- d. Stairs leading to Workshop and Galleries.
- e. Glass windows separating Workshop from Prison.
- f. Cells, 12 Feet by 10, and 10 Ft. high.
- g. Gallery.
- h. Tables and Seats.
- i. Dumb Waiters.
- k. Platform for Observation.

- l. Railroad Bridge to facilitate communication, between Wings.
- m. Workshop in front of the Cells. - this position is preferable for central Inspection but practically, it is supposed would be annoying by its noise, smoke &c., especially if the Hospital as proposed is placed immediately over the centre Building, either Plan can be tried.
- n. Wardens house and Offices.
- o. Outer Yard.
- p. Gateway.
- q. Prison Hall.

Basement.



- a. *Clothing Room.*
- b. *Cleansing & Sinigrating Room.*
- c. *Bath Room*
- d. *Reception Cells.*
- e. *Punishment Cells.*
- f. *Store Rooms.*
- g. *Wash Rooms*
- h. *Drying Rooms.*
- i. *Coal Room.*
- k. *Furnace and Apparatus*
- l. *Boilers.*
- m. *Kitchen.*

- n. *Dumb Waiters..*
- o. *Oven.*
- p. *Bread Room*
- r. *Larder.*
- s. *Scullery.*
- t. *Table.*
- u. *Buttresses of Arches supporting Cells above.*
- v. *Basement of Warden and Matrons House.*
- x. *Old Air-shaft for supply of Furnaces and Ventilation.*
- y. *Passage leading to Area.*



OFFICERS OF THE PRISON ASSOCIATION OF NEW-YORK FOR  
1850.

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HON. WILLIAM T. McCOUN,  
Justice of Supreme Court.

*Vice Presidents.*

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Merchant.  
HON. BENJAMIN F. BUTLER,  
HON. JOHN W. EDMONDS,  
Justice Supreme Court.  
HON. JOHN DUER, L. L. D.,  
Judge Superior Court.

*Treasurer.*

WILLIAM CHAUNCEY, Esq.,  
Merchant.

*Recording Secretary.*

THOMAS GALLAUDET,  
Prof. Deaf and Dumb Institute.

*Corresponding Secretary.*

JOHN D. RUSS, M. D.

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*Finance Committee.*

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Dr. E. PARMLY,  
ISRAEL RUSSELL,  
FREEMAN HUNT,

RICHARD H. MANNING,  
CHARLES M. LEUPP,  
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WILLIAM WOOD,  
ALFRED PELL.

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ABNER BENEDICT,  
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WM. WALN DRINKER,  
Dr. THEODORE A. TELLKAMPF.

JOHN H. KEYSER,  
JOHN BIGELOW,  
GEORGE E. BAKER,  
F. ELLSWORTH MATHER,  
WM. C. GILLMAN.

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BENJAMIN F. BUTLER,  
RENSSELAER N. HAVENS,  
JOHN D. RUSS, M. D.,  
JOHN H. GRISCOM, M. D.,

WILLIS HALL,  
JOHN S. GOULD,  
P. S. VAN RENSSELAER,  
SAMUEL A. CRAPO,  
P. M. WETMORE.

*Discharged Convict Committee.*

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EDGAR HICKS,  
JAMES S. GIBBONS,  
RICHARD REED,  
THOMAS GALLAUDET,  
JAMES H. TITUS,  
BENJAMIN ELLIS,  
BENJAMIN FLANDERS,

WILLIAM C. ROGERS,  
JOHN W. C. LEVERIDGE,  
LYMAN COBB,  
BENJ. R. ATTERBURY,  
JACOB VAN NOSTRAND,  
ISAAC LEWIS PEET,  
CHARLES PARTRIDGE.

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OSCAR 1st., King of Sweden and Norway.

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A. DE TOCQUEVILLE, }  
G. DE BEAUMONT, } Membres de l'Academie Francaise, Paris.  
M. CH. LUCAS, }  
M. DEMETZ, Membre du Conseil General du Departement du Siene-et-Oise, etc.,  
Paris.  
M. G. BLOUET, Architect du Gouvernement.  
J. G. PEREY, Esq., } Inspectors of Prisons of Great Britain  
COL. JEBB, }  
EDWIN CHADWICK, Esq., London.  
C. J. A. MITTERMAIER, Professor of Law at Heidelberg.  
Dr. N. H. JULIUS, Berlin.  
— HITZIG, Chancellor of State of Prussia, Berlin.  
Dr. VERDEIL, Member of the Great Council, Vice President of the Council of  
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COUNT PETITTI DI FORETO, Turin, Italy.  
Dr. GOSSE, Geneva, Switzerland.  
JACOB POST, Esq., London.  
Rev. L. DWIGHT, Secretary of Prison Discipline Society.  
Dr. FRANCIS LIEBER, Professor of History and Belles Lettres.  
WM. P. FOULKE, Esq., Philadelphia.  
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Dr. VARRETRAP, Germany.  
S. G. HOWE, M. D., Boston.  
Miss D. L. DIX, Boston, Massachusetts.  
Mrs E. W. FARNHAM.  
JOHN GRISCOM, L. L. D., New Jersey.  
Prof. NATHAN DAVID, Copenhagen, Denmark.  
CHARLES SUMNER, Esq., Boston.  
Prof. J. L. TELLKAMPF, Berlin, Prussia.  
JOHN HAYLAND, Prison Architect, Philadelphia.  
GEORGE SUMNER, Esq., Boston.

N. B. The Physician and Warden or Keeper of each Penitentiary are, ex-officio,  
Corresponding Members of the Executive Committee.

**State of New-York.**

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**No. 198.**

**IN ASSEMBLY. APRIL 5, 1850.**

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Fifth Annual Report of the New-York Prison Association.

New-York, April 5, 1850.

To the Hon. the SPEAKER,  
*Of the House of Assembly of the State of New-York:*

SIR—In compliance with the sixth section of the charter of the New-York Prison Association, I herewith transmit the Fifth Report of said Association, and request that you will present the same in behalf of the Association to that body over which you have the honor to preside.

I am very respectfully,  
Your obedient servant,  
JOHN D. RUSS,  
*Cor. Sec'y Prison Association.*

1848

## FIFTH ANNUAL REPORT

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

The opposition which the committee has had to encounter from the state prison inspectors, has materially circumscribed its operations during the past year ; so that the duty of inspection imposed by the Legislature has only been performed in relation to the prisons in our own immediate vicinity.

At the commencement of the late session of the Legislature, the inspectors, in their annual report, directed attention to the fact that the Prison Association, represented by committee on the 12th of July, 1848, claimed the right to enter the prison at Sing Sing unattended by any officer thereof, and take such action as they thought proper. The inspectors say they "understand that free access to the prison or any part of the prison premises, and a full access to their books, records, or other papers, with every facility for prosecuting any enquiries they might desire, was tendered to the committee by the warden, but that he declined to surrender, for the time being, the whole power of the prison into their hands and permit them to proceed wholly unattended by any of its authorities. These facilities were not satisfactory, and proceedings by mandamus were commenced to enforce the recognition of the extraordinary power thus claimed, which are still pending.

"The Prison Association claims the exercise of this authority under the sixth section of its act of incorporation. If this claim be valid to the extent preferred, an irresponsible committee of an irresponsible society may at any time supercede the authority of the prison officers, suspend the jurisdiction of the inspectors of state prisons, and take the management of the affairs of the prisons into their own hands. If they may do it once a year, they may twice or a dozen times—if they may do it for a day, they may do it for a week or a month."

July 12th 1848  
Prison Association

It seems incumbent upon us to make some effort to disabuse the public mind in this regard.

In making so serious a charge against an institution, fashioned and designed to be a co-worker with them in the great field of prison labor and reform, it was to have been expected, from the high standing and official character of the inspectors, that they would at least have accurately informed themselves of the facts. Unfortunately for the inspectors, in their zeal to condemn others, they were little careful of their own reputation; and suffered themselves to represent the action of this committee in a light entirely different from what is true and just. The association has never claimed any power not delegated to it by its charter; which simply confers the same powers in relation to state prisons as have been exercised for many years by the inspectors of county prisons. The assertion that the association demanded for one instant to suspend the government of the prison officers in relation to the convicts, or to subvert or suspend the ordinary business of the institution, is entirely groundless; and knowing, as they could have known if they had taken the precaution to enquire, that such was the case; it seems unaccountable that they should have subjected themselves to the mortification of a flat and unequivocal contradiction. In the exercise of the powers conferred upon us by our charter, the committee have, even at great personal inconvenience, been so cautious about interfering with the labor and discipline of the prison, that they have suspended all special and particular examination of the prisoners during the hours of labor, unless their visits were otherwise specially arranged by the wardens themselves, and have either repaired to their cells at meal times or after the hours of locking up, even to procure those statistics which the committee have heretofore collected; using the hours of labor to examine the keepers, the accounts, the conduct of the work shops, the provisions, kitchen, and other objects of interest and inquiry. Is there in this any subversion of the order or discipline of the prison; any taking of the management of the prison into their own hands? The only appearance of even a momentary suspension of authority is while the prisoner, confined in his cell, with all the bolts and bars in their places, converses for some two or three minutes with a member of the committee. Is this abstracting him from the control of the officers? During that very time they can exercise all their rights over him as fully and completely as though the committee were not there; and even the time necessary for the examination will be in future materially curtailed, since the adoption by the

Legislature for use in the prisons of the tables for collecting statistics, first presented in our third report.

We consider this power of personal examination of prisoners separate and apart from their keepers, a material point. Although we attach but little value to the uncorroborated testimony of convicts, we still believe that it will afford a clue, and perhaps in many instances, the only clue, by which abuses can be discovered and exposed. We therefore insist on the importance of a personal and private examination of every prisoner: an examination, to be sure, which in nine cases out of ten, perhaps, may be commenced by the question, Have you anything you wish to communicate to the committee? and terminated by the answer, No, nothing. To a neglect of such personal examination, we attribute the frequent failure of legislative committees to discover even abuses which had become so notorious as to call for investigation. The committee visit the prison expecting to have testimony poured in upon them, instead of which they find it difficult even to procure the first item. The warden and keepers know the prisoners in whom they can confide, and whom to send to the committee. The patience of the examiners gradually wears out; they close their labors and return to the Legislature, perhaps, blinded as to the existence of abuses, and seduced into general and unmeaning commendation. While, had they adopted the tedious plan of the personal examination of each prisoner in his cell separate and apart from his keeper, in the first instance, and corroborated or refuted his testimony by a subsequent examination of the officers under oath, as is our custom, their conclusions would have been entirely different. An examination to be thorough, must be conducted in this way.

The only reason why the prison authorities object more to the examination of the Association than to that of a committee of the Legislature, is because of its thoroughness and completeness. As it is undertaken by persons experienced in the mysteries of the prison-house, they cannot readily be hoodwinked or deceived. An illustration of the reliance which can be placed on the reports of men unacquainted with prisons, may be gathered from an examination of a recent presentment of one of our grand juries. They say: "The grand jury having disposed of the cases which have been presented to their consideration, in concluding their labors of the present term of the sessions, deem it their duty to call the attention of the court and of the public authorities, to certain matters of public interest which have come under their cognizance. During the present

month, the grand jury have taken occasion to visit the institutions at Randall's Island, Blackwell's Island, the City Prison in the halls of justice, and speak in the highest terms of the manner in which these establishments are conducted." At this very time there were scarcely fifty bunks in the City Prison fit for use, and many of the prisoners had not even straw to lie upon; abuses perfectly manifest to an intelligent observer, yet unnoticed by the grand jury.\* A little whitewash often covers up a multitude of sins in these institutions.

The suggestion introduced with such a flourish that discharged convicts may become members of the Association, and visit on its committees, or that lawyers may seek the position to enable them to drive a profitable business in pardons, as it will apply as forcibly, and perhaps as pertinently to inspectors as to the members of the Association, needs no further comment. But, say the inspectors in conclusion, if they are to "have the charge and superintendence of State Prisons," and "appoint all the officers therein," as the Constitution requires, and those officers are to be held responsible for the discharge of the duties defined by the act in relation to county and State Prisons, it would seem but reasonable that visiting committees of an irresponsible association should first obtain the permission of the inspectors to enter the prison, and so exercise their authority under such supervision as they shall determine to be necessary. Such a limitation of our powers would be very acceptable to the inspectors, as it would add to their importance by placing them on a higher pinnacle, removing them from observation, and allowing them the enviable distinction of being first to communicate to the Legislature their toils and sacrifices in the cause of prison discipline, as well as their neglect of duty or abuse of power.

But it may be well questioned whether they are a proper depository of such a trust. The natural inference is, that whatever of good they may have performed will be extolled beyond its desert; while the wrongs they have permitted, the duties they have neglected, and the abuses they have suffered, are reported as the necessary adjuncts of discipline, or what is more likely, passed by in silence. In running over the whole series of reports, from the foundation of our prison system up to the present period, we believe no instance can be furnished in which the Inspectors have ever reported their own failure in duty. But can it be supposed that no such exists?

\*The warden of the prison should be exonerated from any blame in this particular, as it is understood that he had repeatedly brought the subject to the knowledge of the governors.

What did the first examination of our prisons by this Association develop? Fraud, pecculation and barbarity; charges clearly and distinctly made in our Fourth Report, (see pages 13 and 14, Assembly Document No. 243) which have met no denial, and which of themselves alone, show the necessity of just such examinations as the law makes it our duty, and we claim it our right, to institute.

But not a word of these matters ever reached the public eye, or were even brought to the attention of the Legislature through the Inspectors; and perhaps had it not been for our examinations, would have still continued unknown and unredressed. Such are the inducements to commit excesses of a similar nature, and such under ordinary circumstances the facilities for their concealment, that previous to the examinations of our Committee, they were of frequent occurrence; and that they still exist, and are the principal cause of the opposition to the exercise of the powers conferred in the charter of this Association will it is believed, be made apparent by a perusal of the following statements, if the testimony on which they have been made is considered worthy of credit and consideration.

1848. April 13, (No. 439 Register No. 1, page 176), sentenced for five years for forgery; discharged 12th inst.; says the Warden (Wells) broke his cane over the head of a blackman, for accidentally letting a file fall which broke; also says that the cat has been applied in several instances.

April 19, (No. 442 R. No. 1, p. 192.) sentenced for five years and four months, for passing counterfeit money. Says Lent struck S. Ackerman over the head and cut it; they care nothing for the comfort or convenience of the prisoners.

April 21, (No. 444 R. No. 1, p. 265); colored; sentenced three years and four months; discharged the 16th inst. Says that A. H. Wells the warden or his deputy Mr. Lent knocked a man down that was put in the bath.

August 7, (No. 477 R. No. 1, p. 218), sentenced for two years; discharged 21st last month. Says that a prisoner by the name of Barney Smith complained of being unwell and left his work to go to the Hospital and on the way he met Robert Lent; they had some words when Lent fell upon him and beat him upon the head and other parts of his person with his club most unmercifully and then locked him up in his cell. After he had been in his cell about an hour, Wells the Warden, ordered him taken out; as soon as he stepped out

Specific charges against Wells

of his cell, Wells seized him by the collar and fell to beating him with a club, and continued to beat the man all the way from the kitchen to the shower bath. After giving him a bath, Wells sent to the man that drives the ox-cart for his whip; it was a large hickory stick with a cowhide fastened to the end of it. With this whip Wells beat the man while naked on his head, hands and shoulders till the blood ran profusely from his finger ends; he wore the whip entirely out, though a strong one he shivered it to pieces. Leggett, Webb, and Hale, assistant keepers, witnessed the above; says he saw Lent chase a man from the filesop to the shower bath, beating him all the way with his cane, and Wells following after. It is quite a common occurrence to see both Wells and Lent beating the prisoners with their canes or clubs; says the prison is not in as good order as when M. D. Gordon kept it.

August 19. (No. 480, R. No. 1, p. 255.) Sentenced for two years for an attempt to rob; discharged 11th inst.; fully confirms the statements made by all the other persons who have lately been discharged, respecting the abuses practiced in the prison at Sing Sing; he saw Wilson beat as stated by *David Hulse*; he says the provisions are bad, and that the order in the prison is not as good as it was when under the administration of M. D. Gordon, and the prisoners are not as well satisfied; says that Wells, the warden, and the under officers often beat the men with their canes; never saw a prisoner attempt to resist a keeper until he was struck and then only so far as to defend himself; the prisoners attribute the sickness that has been so prevalent in prison to the unwholesome quality of the food.

August 19. (No. 482, R. No. 1, p. 289.) Sentenced for two years and six months, for grand larceny; discharged 4th inst.; he says that some time in July last, he saw Robert Lent strike a prisoner named Barney, over the head and cut him severely; he never saw any human being treated so brutally; it was horrible; Barney appeared to be of weak intellect; the prison is not in as good order as it was under H. Eldridge or M. D. Gordon; the provisions are not so good by a great deal; he heard J. B. Lent tell a prisoner to get out of the kitchen or he would kick his guts out; he has seen Lent, the keeper of the kitchen, intoxicated.

August 31. (No. 495, R. No. 2, p. 8.) Sentenced for five years for counterfeiting and passing counterfeit coin; discharged by pardon 22d inst; he was pardoned in consequence of ill health, which he

thinks was occasioned by the unwholesome quality of the food which he says is extremely bad, and has been so for several months; and he has not a doubt but to that cause may justly be attributed the sickness and mortality that has been so prevalent in the prison; they have for dinner, rice, bad molasses, bread, and a small piece of meat encrusted with salt, thrown together in the same vessel which makes a mess very unpalatable and disgusting; he now has the scurvy very bad, occasioned by the unwholesome quality of the food; the warden and other keepers often beat the prisoners very severely with their canes for small offences; Wood thinks that Parkinson died for the want of suitable diet and attention.

September 13. (No. 498, R. No. 2, p. 12.) Sentenced for two years, for grand larceny; discharged 9th inst.; she says that the female prison has not been as well conducted since it has been in charge of Mrs. Farlin, as it was previously; that she was punished more in four weeks after Mrs. Farlin was the matron, than she was the fourteen months that Mrs. Farnham was matron; she also says that when the women misbehave Mrs. Farlin complains to the warden, and that he comes to their apartment and beats them with his cane.

September 15. (No. 499, Reg. No. 2, p. 13.) Sentenced for five years for attempt to commit a burglary; discharged 14th instant. He brings with him a letter signed by Richard H. Wood and James Williamson, keepers, in which they state that they "most cheerfully certify to the correct conduct of , late convict, and this day discharged by reason of expiration of the term of sentence, and most heartily recommend him to all who may require his services, as being fully reclaimed."

(Signed)

RICHARD H. WOOD, *Keeper.*  
JAMES WILLIAMSON, *Keeper.*

Sept. 14, 1848.

This man confirms the accounts that all the discharged convicts give of the harsh conduct of Wells and Lent. He says he saw Lent strike a man by the name of Wilson, who was of weak intellect, very severely, as he was on his way to the bath. He frequently heard of the men being beaten and grossly abused. On one occasion, when Mike Wash was passing through the prison, some of the prisoners struck their kids against the walls, hoping to take his attention. The warden could not distinguish the offenders from the rest of the prisoners, and to make sure of punishing the guilty indi-

viduals, he ordered that all the prisoners should have rice without molasses for their suppers, and dry bread the next morning for breakfast. The prisoners are not as well satisfied as they were when 'M. D. Gordon was keeper. He says that the keepers advise convicts, on their discharge, not to call upon the Prison Association. One of the keepers told him that we were a set of highway robbers.

September 18. (No. 500, Reg. No. 2, p. 15.) Colored, sentenced for five years for grand larceny; discharged 13th inst. He says that Wells and Lent frequently knock the men down, as if they were oxen. When ordered to the bath, if the men make any complaint or hesitate a moment, they knock them down without ceremony.

September 19. (No. 501, Reg. No. 2, p. 16.) Sentenced for five years for burglary; discharged 8th inst. He confirms the accounts that all give who leave Sing-Sing, viz: That the warden is a man of violent passions, and very irregular in his deportment towards the prisoners; sometimes he will speak to them kindly, and at other times, without any provocation, in the harshest manner, and often strike them with his cane. The other keepers are allowed to beat the prisoners with their canes very cruelly. On one occasion a German was ordered to leave his bed, and because he did not immediately obey, being very sick, Williamson went into his room and beat him with his cane most shamefully. The prisoners have been used bad, but there has been some improvement in that respect, since the committee of this Association were refused admittance into the prison for the purpose of inspection.

A convict by the name of Jones, had escaped from the prison, and was recaptured. He says that after he was surrounded by fifteen men, so that it was impossible to escape, Williamson, one of the keepers, rushed in between the men who surrounded him, and shot him, and wounded him severely.

On the 27th day of last June, a man by the name of Barney, of weak intellect, was beaten by Robert Lent and other keepers, till the blood ran out of his mouth and nose.

September 20. (No. 502, Reg. No. 2, p. 18.) Sentenced for four years and ten months for forgery, and discharged 19th inst., says the warden is very much under the influence of Robert Lent, and they th are very passionate; Wells is very unsteady in his temper and

conduct; some times he will appear to be very kind, and other times he will be very harsh and severe, without any cause whatever; has been informed that Lent strikes the prisoners with the knowledge and approbation of Wells. The provisions are bad; but of latter time there has been some improvement, except the beef, that is still bad. Engell is highly recommended by the warden.

September 23d. (No. 503, Reg. No. 2, p. 19.) Sentenced for three years for perjury; pardoned and discharged a few days ago. He states that the provisions are very bad, and thinks that the great mortality that has prevailed lately in prison, was occasioned by the unwholesome quality of the food; Wells, when addressing the prisoners, told them the provisions that they were supplied with, were as good as those supplied from his own table; when at the time he said so, they were as bad as he ever knew them to be; Wells broke his cane over the head of a deranged or idiotic prisoner; he also struck a man in the face when about putting him in the bath; Lent is the principal keeper; Wells submits every thing to him, relating to the government of the prison; Wells and Lent often beat the prisoners with their canes; they and some of the other keepers often use profane language; John Lent is a drunkard.

Sept. 27. (No. 505, Reg. No. 2, p. 25.) Sentenced for three years; says that the keepers are very hard; there is a great deal of showering; he saw the warden beat a man all the way across the yard with his cane; says one of the prisoners told him that for the whip which they use to drive the oxen with and beat a man that was crazy with it.

Oct. 24. (No. 509, Reg. No. 2, p. 30.) Sentenced for three years for burglary; says that Wells the warden is very hard on the prisoners, that he has not human feelings.

Oct. 9. (No. 512, Reg. No. 2, p. 33.) Sentenced for two years. No. 512 and another woman had some difference in the shop, when 512 gave the other woman a push, for this offence the warden was called, who beat her over the head with his cane and put her in the outer cell to be punished; while the warden was beating her she cried out "Mr. Wells, if you are going to kill me, it is time to begin to pray;" a colored woman who did not rise one morning as soon as the other prisoners, was spoken to by one of the ladies, when she made such a noise in her cell Mr. Wells was sent for, who ordered her into the outer cell for punishment; she made



some resistance to going, whereupon Mr. Wells beat her with his cane, which so enraged the women that they would have laid violent hands upon him if they could have got to him; they made a great uproar in the yard; the provisions are not so good as they were when Mrs. Farnham was matron; sometimes the meat is so bad that they cannot eat it at all.

*November 20.* (No. 513, Reg. No. 2, p. 34.) Sentenced for two years: says that Wells the warden is bad enough; will not hear the complaints of the prisoners; lets the deputies do as they please; seventeen have died of cholera morbus and dysentery; no funeral service has been performed since Wells came into office.

*December 5.* (No. 515, Reg. No. 2, p. 36.) Sentenced for fifteen years, for passing counterfeit money; pardoned: says that there has been very hard usage in the prison since the present warden has been in office; he saw Wells beat a man first with his cane and then with a whip used in driving oxen, till he wore out the lash, and then took the butt end and beat him till he shivered it to pieces; the blood ran down to the ends of the prisoner's fingers.

1849, *January 18.* (No. 521, Reg. No. 2, p. 42.) Sentenced for two years: says that Wells the late warden is a man of violent passions; when he is angry he looks very white; never seems to try to control his temper; he shaved the head of one of the prisoners and beat him so that he was unable to work, and afterwards beat him because he did not work.

*January 18.* (No. 523, Reg. No. 2, p. 44.) Sentenced for two years: she says that the present matron Mrs. Dewey is very like Mrs. Farnham; treats the prisoners kindly; she was in the habit of taking them into the chapel on Sunday afternoons and reading to them; they also sung hymns, and on week day evenings she taught them to spell and read; but Mr. Wells forbid it, and now they are kept locked up; Mr. Wells beat a colored woman very severely, and cut the hair off of another colored woman; he also struck a white woman over the head several times and cut her hair off.

*March 7.* (No. 528, Reg. No. 2, p. 49.) Sentenced for three years: says he never was punished, but the warden Wells was very passionate and cruel; he often struck the prisoners with his cane; Robert Lent treats the prisoners very harshly; he knocked a man down and stamped upon him; he often curses and kicks the prisoners.

*March 8.* (No. 529, Reg. No. 2, p. 50.) Sentenced three years: says that he was used well, but has seen others used with cruelty; Robert Lent is very rough and harsh; he has seen him beat a man with his cane.

*March 8.* (No. 530, Reg. No. 2, p. 51.) Sentence three years: says that Wells is very severe; he saw him strike John Curtis a colored man.

*March 23d.* (No. 533, Reg. No. 2, p. 55.) Sentenced for seven years and one month for forgery, 2d degree. Says that Wells, the late warden, is a man of ungovernable passions; he has frequently seen him strike the prisoners with his cane. On one occasion last summer he saw Wells knock a man down by the name of Cusha, a Frenchman, and stamp on his breast; the man was so much hurt that he was taken to the Hospital, where he has been ever since. Benjamin Deul, late a deputy keeper, who was dismissed sometime ago, can give some interesting information; he lives with his father at Sparta, about half a mile below Sing Sing. Bain saw Wells and some of the deputy keepers beat Henry Fields, a prisoner. Wells often made use of profane language when speaking to the prisoners.

*April 6th.* (No. 536, Reg. No. 2, p. 58.) Sentenced for five years for assault and battery with intent to commit a rape, discharged by pardon 2d inst. He says that when Wells was warden he treated the prisoners with great cruelty; he has often heard them cry murder when Wells has been beating them. Henry Fields and Barney Smith were beaten most cruelly; the latter is from Washington county, and is simple or deranged. A man by the name of Cusha or Gosha, who was convicted for assault and battery, and sentenced for life, was beaten so severely about a year ago that he was taken to the Hospital and remained there till about two weeks ago; thinks that Cusha will never fully recover from the abuse he received on that occasion. About three weeks ago a colored man, for asking for a piece of bread was put in the bath, and after he came out he was knocked down several times and stamped upon and his head cut so that he bled profusely; he was so injured, that he was taken to the Hospital. This abuse was perpetrated by Ben Leggett and Bob Lent. Very many of the prisoners were sorely abused. There were ninety-nine punishments during the month of March, 1848. He has seen Wells beat a man with his fist when the man was laying on his bed sick. He thinks the present warden much better than Wells.

*April 30th.* (No. 537, Reg. No. 2, p. 60.) Sentenced for three years and five months for selling a common wood saw he had borrowed; discharged 28th inst. He says that Wells is very passionate; he saw a colored man showered for asking for a piece of bread, and as soon as he came out of the bath Bob Lent knocked him down and jumped upon his breast; he was so severely injured that he was unable to rise; he was carried to the Hospital. Wells stood by and saw this cruelly perpetrated; saw Wells and Lent drive a man from the file shop to the bath beating him with their canes all the way, first one and then the other; has frequently seen Wells and Lent strike prisoners. Lent has not got human feelings; he is not fit to be a keeper; he saw Wells strike a prisoner with his fist when he was sick on his bed. No. 538 was sick with the dysentery in the Hospital at the time; this occurred in the summer of 1843.

*May 8.* (No. 539, R. No. 2, p. 62.) Sentenced for two years and three months for grand larceny; discharged 2d inst.; he says that Wells, the late warden, is very passionate; he has frequently seen him strike the prisoners; Robert Lent often beats the prisoners; saw him beat a man by the name of Barney, supposed to be silly or deranged, very severely.

*June 11.* (No. 543, R. No. 2, p. 66.) Sentenced for three years for grand larceny; discharged this morning; she says that the discipline of the prison is very severe, the women are worked too hard; Mrs. Clark, wife of one of the guards, and an assistant keeper, has a little daughter who is said to look very like Robert Lent; one day Catharine Logan, in a joke, said to a fellow prisoner, that he must be the father of the child, it looked so much like him; Mrs. Clark overheard the conversation and informed Lent of it; he was greatly enraged, and he put a gag in her mouth and straight jacket upon her; he then placed her in a cell and kept her there till next morning, without anything to eat; six women have had their hair shaved off since Mrs. Dewey has been the matron; Bridget says Mrs. Clark is very cruel; saw both her and Lent beat Catharine Logan.

*June 19.* (No. 547, R. No. 2, p. 70.) Sentenced for five years, for passing counterfeit money, 2d offence; discharged 14th inst.; he says that the discipline of the prison under the present warden is pretty good with the exception of Bob Lent, whose conduct is often very rude, but it is not quite so bad as it was when Wells was warden; he was very rough; has often seen him knock the prisoners down.

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*June 25.* (No. 550, R. No. 2, p. 70.) Sentenced for five years for grand larceny; discharged 17th inst.; he says that while A. H. Wells was warden he was very passionate and severe; Barney Smith who was considered by Dr. Hoffman and Dr. Green, deranged or idiotic, and when Mr. Gordon was warden, he was confined in the outer ward or lunatic cells, asked Robert Lent for more victuals, Lent told him to go along and gave him a kick; Barney picked up a small stone and threw at him, but it did not strike him, and called out, "stop that talk," and cursed and swore; this put Lent in a violent passion and he flew at Barney and with the assistance of other keepers threw him down and jumped upon his breast and head until the blood run out of his mouth and nose; Lent fell upon Barney's breast with his knees and beat him with his fist till he was bruised in a shameful manner; Wells came down from the female prison and ordered him to be showered; he was kept in the bath and showered till he became stupid; after he was taken out of the bath Wells ordered him to put on his clothes; he did not obey, but called out, as was his usual custom, "stop that talk;" Wells beat him over the head with his cane, and then with an ox-whip until he wore it out; he then took the handle and beat him till he shivered it to pieces; Barney was taken to the hospital where his wounds were dressed; he has never been well since; he is reduced to a mere skeleton; Lent has not human feelings.

*September 27.* (No. 564, R. No. 2, p. 89.) Sentenced for three years for forgery; discharged 23d inst.; says that A. H. Wells was very passionate, and often beat the prisoners severely; Robert Lent is also very hard upon the prisoners; he often beats them; is harsh and unfeeling in his language and manners.

*October 1.* (No. 565, R. No. 2, p. 91.) Sentenced for two years and six months, for forgery 3d degree; discharged 19th August; says that A. H. Wells, the former warden, was very passionate, and often beat the prisoners cruelly.

*October 20.* (No. 568, R. No. 2, p. 94.) Colored; sentenced for five years, for grand larceny; discharged 17th inst.; says that E. L. Foster is a good keeper, but Wells was very severe; has seen Robert Lent beat an insane man in the face with his fists.

*September 21.* (No. 563, R. No. 2, p. 88.) Sentenced for four years for grand larceny; discharged the 18th inst.; he says that A.

H. Wells was very passionate, and sometimes treated the prisoners very harshly.

December 12. (No. 575, R. No. 2, p. 99.) Colored; sentenced for five years for burglary; he says, about three weeks before his time was out he went into the kitchen and asked Mr. Babcock for a piece of bread; he shoved the basket containing the bread towards me; I took a piece, and leaned over and took a piece of meat out of another basket; he told me to put it down, and I did so, when he gave me a push; I told him that he was the first man that had given me a push since I had been in prison; this made him angry, and he struck me with his cane several times.

We would not have presented these ex parte statements, if we had been permitted to examine the prisons as is our duty. It would have been much more agreeable to us to have tested their truth, and presented only such facts as were confirmed by adverse and independent testimony. But the contumacy of the inspectors has prevented us from thus investigating them, and although these charges rest on the simple authority of discharged convicts, yet the train of circumstances is so strong and so completely corroborated by the concurrent testimony of so many, discharged at different times and at long intervals from each other, that we feel it a duty to present them to the Legislature, that they may undertake, if they deem it expedient, that examination which we have been unsuccessfully striving for two years to obtain. Most of these statements were made to us last year, and we should have presented them in our fourth report, had we not feared on the one hand to excite an unjust feeling in the community, and hoped on the other to have been enabled by this time to have spoken after full investigation. This prospect, however, seems to recede as we approach it, and lest further cruelties and injustice should be inflicted, we have felt it a reluctant duty to present the reports which we have received, for the information and government of those most concerned. Should these statements be thought of sufficient consequence to authorise an examination, they will afford useful hints on which to base enquiries.

The Association were unprepared and surprised to meet such early and determined opposition from the inspectors. We had hoped and expected that none but the most agreeable relations would have existed between us. Engaged in similar pursuits, we should have lent freely from our limited experience, and in return expected to borrow largely from theirs. The pride of official station, jealousy of power,

or the fear of reproach, has induced them to turn a deaf ear to all our claims and requests, especially in relation to the prison at Sing Sing. It is due to the late warden at Clinton, to acknowledge his readiness to permit the official visits of our committees, and to render them all necessary facilities for a prompt and satisfactory execution of their duties.

#### FINANCES.

The finance committee reports, as receipts during the past year, the sum of \$1,922.04. Balance on hand the preceding year, \$170.14. Making a total of \$2,092.18.

Of which were expended—	
For discharged convicts, rent of office, &c.,-----	\$1,180 22
For printing report and stationery,-----	100 00
For financial agent,-----	361 00
For rent of The Home,-----	337 50
	<hr/>
Balance on hand,-----	\$1,978 72
	113 46
	<hr/>
	\$2,092 18
	<hr/>

In presenting our objects to the benevolent, we have to encounter many embarrassments. The reclamation of the abandoned has hitherto been considered so hopeless an undertaking, that it is difficult to convince a large class that it is even possible; whilst to others the distorted lineaments of vice are so revolting that even a solitary aberration from the paths of virtue throws the poor culprit without the pale of mercy, and forever bars the door of hope. Such cannot consent to imbue their hands with the slime and filth of society, for so uncertain a purpose. To all such we would say, that our objects are not solely to reclaim the guilty, but to protect the innocent and see that justice is rendered to those on whom suspicion rests. These objects are appropriately referred to.

THE COMMITTEE ON DETENTIONS, which is charged with the examination of all cases of commitment to our city prisons, incidentally involving not only the manner of arrest, but the proceedings before the police magistrate. In the exercise of this department of our duty, we are frequently called upon to administer a rebuke to officials which, while acting for the protection of the accused, unfortu-

nately reacts to embarrass the operations of the Association. Our position is such that we must be constantly at war with abuses; and such a strife cannot be continued without some damage to either side. Thus it is, that of all benevolent enterprises, this is that which *has* had and *will* have to encounter the most unrelenting, persevering opposition. Within the last year we have often come thus in contact with official power; and as often perhaps excited resistance to the powers conferred upon us by our charter. To such an extent is this opposition carried by interested parties, that it is only through the most careful and guarded discharge of our duties that we are suffered to exist. So determined and unrelenting has been the opposition we have encountered, that it has even dared to suborn witnesses to compass our destruction. No longer ago than the past winter a false affidavit was lodged with the committee on prisons of the House of Assembly, for the purpose of forcing a repeal of our charter. We have, however, gone on cautiously but fearlessly exposing, as far as in us laid, such abuses as became apparent to us. The utter inattention of the committee of the House to these developments, to whose knowledge they were distinctly brought, has always seemed to us entirely inexplicable. They were not even reported to the Assembly.

The following cases, extracted from the diary of our Agent, will, in part, explain our operations, and the nature of our duties in this department:

*New-York, August 23d, 1849.*—Found in the city prison Margaret Burke, committed by Justice Lathrop, on complaint of her husband, Thomas Burke, and Thomas Fitzgerald, his landlord, as a vagrant, viz: an idle person, having *no visible means to maintain herself*, lives without employment, and whereof she was convicted on the oath of the two aforesaid persons. She is a healthy woman, good looking, neat, &c., and on reference to her family, was found to be a person of good character and perfectly steady habits, but was of bad temper. Had her discharged by habeas, her father-in-law, brother-in-law, and other friends testifying to her good character.

*August 24th.*—Fanny Lyons was yesterday committed to the Tombs, under the following circumstances: Officer Josephs called at the house where she boards and told her to fix herself and go with him, as the Judge wanted to see her; said she could be back in half an hour. Knowing Josephs to be a police officer she went. On her arrival at the Tombs she was taken into the back office

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 where she saw no one but a man sitting at a table tearing up some papers. Josephs left her and went into the court room; on his return he took her round to the female prison, and gave her in charge of the officers, and she was locked up, he telling her that he would return in half an hour and have her discharged. She waited until near two o'clock, momentarily expecting her discharge. At this time the prison wagon came, and she was called upon to get ready to go to the Island. Having a consciousness of innocence she was surprised by this unexpected call, and supposing it must be a mistake, insisted that she was not committed for any crime and could not be sent up. The matron, however, soon undeceived her by shewing her a commitment issued by a police justice, in which it was stated that she had confessed herself a vagrant, and that she had the venereal disease, and that on examination, having been found to be an improper person to be sent to the Alms House, she was sentenced to the Penitentiary for sixty days. Astonished by such a disclosure, she protested that she had made no such confession, that she never spoke or was spoken to by any one but Josephs; that she did not see the Judge, nor any one connected with the court, and that she was in no way diseased. So earnest was the girl in her asseverations that the matron determined to keep her down until the case could be investigated. On the next day I inquired into the facts, and as I could not obtain any positive declaration from the Judge or the clerk that the girl was brought before them, I had no doubt but her own story was true, especially as I was told that the commitment would be withdrawn if I desired it. The girl says that she has no doubt that the officer was hired to have her committed by a keeper of a bawdy house in Church street, whose son was intimate with her. She had been threatened by the mother of the son with punishment, and was actually attacked by her in the streets, but she defended herself and drove her off. The girl's story is in part confirmed by the fact that officer Josephs told the clerk that she had led the son of a lady astray. This case proves, at least, that some are sent up to the Island without having the forms of law complied with, and great injustice is in many instances the consequence. The commitment was withdrawn.

These cases present four important defects either in the law or its administration. The first is the manifest abuse of power by the police magistrates in neglecting promptly to dispose of persons committed for examination. The law of the land, the rights of the accused, and the demands of humanity, seem alike to require for all such, not only the utmost caution as to commitment, but a speedy deliverance. Yet here are instances of a reckless and wanton abuse

of power as well as the utmost disregard of individual rights, and desecration of the social compact, which can well be imagined. If our government was monarchical instead of republican; if the supreme power was vested in the hands of one instead of the many, it would be a just cause for revolution. We may be accused of using strong language; but it is not stronger than is necessary to awaken attention to the evil; not stronger, we are sure, than is adequate to portray the enormity of the offence. In our fourth report we directed attention to this subject, but had not then as now, the necessary data to point out the extent of the abuse. From the statistics of our city prison we learn that there have been incarcerated during the past year on temporary commitments for examination, the astonishing number of five thousand six hundred and fifty-two. That the periods of commitments vary in duration from one day to over two months, and that the total periods of commitments for all is twenty-four thousand six hundred and forty-two days or sixty-seven and a half years.

The number of discharges is four thousand seven hundred and ninety-one; and the number of final commitments is eight hundred and sixty-one.

What an amount of precious time is thus wasted in jail, not on account of any crime, but simply from indolence, caprice or incompetent management. Let us only suppose each man's detention to be worth on an average one dollar a day, and we have the round sum of twenty-four thousand six hundred and forty-two dollars, lost to society or to the families of the suspected. But the loss of time is not the worst loss; all persons so incarcerated are by the magistrates refused bail, and an offence which is bailable under a full commitment, is not so considered in the practice of our police court on a temporary warrant. Bad as this is, it would be even tolerable if the magistrate would in every instance require an oath, stating, if not that a crime had been actually committed, at least that there was reason to believe that such had been the case, and that the accused was the transgressor. Such, however, is the laxity with which business is done at our police courts, and such the recklessness of the magistrates, that numbers almost daily are committed without either oath or affirmation. The law upon this subject seems to be very explicit and leaves no room for doubt or subterfuge; it is in these words:

" § 2. Whenever complaint shall be made before any magistrate that a criminal offence has been committed, it shall be the

duty of such magistrate to examine on oath the complainant and any witness who may be produced by him.

" § 3. If it shall appear from such examination that any criminal offence has been committed, the magistrate shall issue a proper warrant under his hand, with or without seal, reciting the accusation and commanding the officer to whom it shall be directed, forthwith to take the person accused of having committed such offence and to bring him before such magistrate to be dealt with according to law."

" § 14. The magistrate before whom any such person shall be brought, shall proceed as soon as may be to examine the complainant and the witnesses produced in support of the prosecution on oath in the presence of the prisoner in regard to any other matters connected with such charge which such magistrate shall deem pertinent."

And section 21 provides for the discharge of the prisoner should no cause of detention appear.

These are the provisions of the law, which seems to be sufficiently explicit and to afford the necessary protection; nevertheless, instances are every day occurring of its utter neglect and gross violation. What safety is there for a community where justice is thus trampled upon by her ministers? What protection has any citizen that his dearest rights, his free-born inheritance, the inviolability of his person, will be for a moment secure? At any time the sanctity of the domestic hearth is liable thus to be disturbed, and a man torn from his family and his home by an officer of the law. Such an opportunity for the strong to tyrannize over the weak, is an anomaly in a free government, and should never be allowed. So far, however, is this from the fact, that neither common law or the practice of our courts, have ever strictly defined the limits of this power claimed by the committing magistrate; and although a Justice of the Supreme Court has decided that in ordinary cases a person should not be detained beyond three days, and the practice of England has limited its duration, even in extreme cases, to fourteen days; yet we have seen that at one time there were fifty cases of from one to over two months duration, in our city prison alone. Two of these cases were most extraordinary; they were the commitment of two Swedes without oath or affirmation, on a mere suspicion of grand larceny on the 23d of August, and the holding of them in bondage until the 7th of December, a period of three and a half months; and not allowing either to get bail or to be in progress for deliverance. At the end of that time, when, if they were guilty, they ought to have been al-

ready in Sing Sing for a month or more working out the penalty of their transgression, they had scarcely entered on the initiatory steps to a trial; although, whether guilty or innocent, they had already been suffering imprisonment. It must be remembered that these men were strangers, speaking a strange tongue, without friends and without money. Such are the men most likely to become the victims of the exercise of this power, persons who, when trodden on have no power of turning to defend themselves.

Besides the loss of time and the wrong done to the person, there is the moral wrong which no mathematician may calculate, acting and reacting during perhaps vast cycles of years. It is hardly to be conceived that such a number of innocent persons can be incarcerated with the most abandoned, for periods varying from one day to three or four months, without being to some extent corrupted. The very atmosphere of a prison is moral poison, and no person can live in it under commitment without more or less of contamination. Thus it is that we so often see men who were committed for disorderly conduct, *misdeemeanor* or for examination, after having staid in prison a few days and been discharged, shortly after returned for a larceny or burglary.

This power of temporary commitment is still further abused by the commitment of drunkards for examination. The appearance of the individual ought, we should suppose, to afford conclusive evidence of his inebriation; and if so, what right have the magistrates in such cases to commit him temporarily? The law is imperative in inflicting either a fine of three dollars or imprisonment for five days, so that every temporary commitment in cases of this nature seems to be only a violation of the statute, and in many instances prolongs the imprisonment beyond the period prescribed by law. It is certainly a dangerous exercise of power, and in the hands of corrupt men may be used for corrupt purposes. Another power often exercised by the magistrate is undoubtedly in direct violation of his duties and equally open to the charge of corruption. We allude to the practice of discharging drunkards after even a full committal. It is done most frequently, without doubt, from motives of charity and friendship; but its use is so liable to abuse, that it should be strictly prohibited. Temporary commitments without affidavit are undoubtedly illegal, and although sometimes they may apparently be necessary to secure the ends of justice, the magistrate so committing is nevertheless in all cases liable for false imprisonment where the restraint is continued for more than one day. Owing, however, to the ignorance on this

point, of those most liable to suffer in this way, the safe-guards thus thrown around them is inoperative, and prosecution for this cause unheard of and unknown. [A remedy might be found in having the law on this point conspicuously printed and constantly displayed in each cell. The magistrates would then be prompt enough.]

Another defect, less common although less flagrant, is apparent in the commitment of vagrants. The second case which we have already cited is one of a very peculiar character and of great enormity. An unoffending girl, at the instigation of a brothel keeper, is taken by a police officer from her own domicile and brought by him to the police court, and is there ushered into an adjoining room; the officer then goes unsolicited and without the knowledge and consent of the party interested, and asks that she should be committed for three months as a vagrant, and states that she had contracted a contagious disease, and the magistrate, without having, as in duty bound, the girl before him and hearing the confession from her own lips, consigns her to a prison by a commitment which states that she *personally appeared* before him and confessed to vagrancy and that upon examination he had discovered that she was an improper person to be sent to the alms-house. Can there be a plainer and more palpable case of gross violation of propriety and justice on the part of the police officer, or a more direct and evident judicial perjury on the part of the magistrate? The next two cases are the commitments of wives by their husbands. In each of these cases it was proved that the husband had undoubtedly committed perjury for the purpose of ridding himself of an honest, virtuous, unoffending wife so as to enable him to pursue his debaucheries unmolested. In each case the most reliable testimony was procured to the character of the wife, and we infer the motives not only from the action of the men, but from reiterated assurances of the women that such indeed they were. As it not infrequently happens in cases of wanton outrage, it was almost impossible to have these women released; while in cases of undoubted guilt, the parties are almost uniformly so loosely committed that any judge would instantly discharge them on a habeas. In fact this manner of discharge has become so common that there are lawyers who live by it, and live well too. The frequency and the manner of its performance may lead to the suspicion that the lawyer and the magistrate are alike interested in the business; and that the magistrate commits thus loosely for the very purpose of enabling the lawyer to obtain his fee through a delivery by habeas. Without imputing improper motives to the magistrates, we may be permitted to state that the practical result of the present vagrant law is

to provide a hospital for diseased prostitutes, a home for drunkards, an asylum for troublesome wives, and a comfortable support for those professional gentlemen who are content to wring their subsistence from the misfortune and distress of the prisoner. We concede that this matter of vagrancy is surrounded with many difficulties; but that these can be mastered, we entertain no doubt. To accomplish so desirable an object, early legislative action is needed. The law defining vagrancy should be carefully revised and remodeled so as succinctly and distinctly to declare what shall constitute a vagrant. This, if divided into several counts, might be made to embrace every possible grade of vagrancy; and thus prevent a discharge on account of surplusage or deficiency in the commitment, or the blending of vagrancy and disorderly conduct, which also vitiates the commitment. Having effected this important object some cheap and certain means should be provided by which those who have been unjustly committed in the hurry and confusion of the police office may be liberated. For such a purpose the ten governors in the city of New-York, and the commissioners of the alms-house in other cities or towns, should be clothed with power to examine, on the oath of any respectable witness, forthwith, into the cause of detention of any one so committed; and, if upon strict examination, it should appear to them that the party had been unjustly or erroneously committed, they shall present the case to the recorder or first judge of the county or to any two justices of the peace, who shall have power, in their discretion, to discharge such person from confinement. Thus guarded, the power might be safely entrusted to the functionaries prescribed; and as summary commitments are at best a violation of the great constitutional principle that guarantees to every one a trial by jury, it seems to be eminently just and proper. These or similar provisions, would, we think, relieve this subject of most of the embarrassments which encumber it in a judicial point of view.

Our statute laws include under the general term "vagrants," common prostitutes. Again, the law recognizes "vagrancy" as a crime, and deals with it accordingly. Following this authoritative definition, we have deemed it a duty to notice the general subject of licentiousness, in so far as it may be affected by the character of our criminal institutions, and the laws which bear upon its victims. Our own treasury is daily called upon by these degraded beings; nor would it consist either with our own feelings or our estimate of the obligations resting upon the Association, to turn them away as beyond the pale of hope. Indeed we have had too many evidences

that, like all other sinners, they may be reclaimed, thus to close the heart or the hand to them.

In pursuance then, of these general views, the committee esteem it within the line of their duty, if not themselves to appear before the public with schemes for dealing with this class in their ordinary life, at least to urge upon the proper authorities an examination of the system of dealing with them when in the power of the law; its influence upon the existence and extent of the evil; a comparison of our systems with those of other states and countries; and the modification of our present plans to meet the conclusions of such an investigation. It may be, and we fear it will be, that these suggestions will pass unheeded, as have many others which we have more carefully elaborated, and more energetically pressed upon their attention. In that case, it will remain for us to do their work; and if it be so, we shall endeavor to show that we are not unfaithful in the attempt, though we may prove inadequate to its right performance. Certain it is, if we would save the character of our sons, the good name of our daughters, the purity and peace of our domestic hearth, and the fair fame of our city, we, or others, must have the moral courage, the zeal and the intelligence, to scrutinize and expose this whole subject, and to lead the way to radical reform. It is not necessary, nay, it were a burning shame that as a city, we should longer protect and legalize it. We may as effectually show our abhorrence, and put the seal of reprobation on it. This we are bound to do, if we are true to ourselves or true to the age.

### THE CITY PRISONS.

We have so often presented what we conceive to be radical defects in these buildings, that we should not particularly refer to them on this occasion, had not the department in which they are included undergone a re-organization since our last report.

The change which has been made in the general control and direction of the prisons of the city and county is so recent, that a clear judgment cannot well be formed as to the merits or demerits of the system. Reforms were evidently and most lamentably needed under former administration, for which this committee long struggled in vain. So glaring and manifold at length became the abuses, that the Legislature, against the urgent protests of the city authorities, and on the recommendation of a portion of our citizens who acted

mainly under the advice of our executive committee, enacted the law commonly known as the Ten Governor Bill.

The gentlemen appointed under this law, have already placed their first report before the Legislature. The most manifest of the reforms effected by them, and one to which the press of our city has given great, and, as we conceive, *undue prominence*, is the saving of about eighty thousand dollars, during the eight months of the year 1849, over the expenditures for the corresponding months of 1848. Not that we do not reprobate a lavish expenditure of the public funds; but that we do hold the cause of public morals of so much higher magnitude, as not to be weighed or measured by dollars. Referring, then, to the great principles heretofore presented, and as we think established, in our former reports, we respectfully ask what reform has been effected in the following important particulars:

1. In the appointment of under officers in our prisons. Casual observers, or those but slightly acquainted with the intricate and ramified questions connected with prison discipline, would perhaps give but little heed to this point. But those who know how important it is, that there should be oneness, coherence, uniformity and consistency in the management of the affairs of a prison, do insist that it should have but one head, and that he should be held to a rigorous accountability. Now, if he has not the appointment of his subordinates, he can have no security for the execution of his plans and orders, however wise or necessary they may be. The evils of just such a state of things have too long been felt in these institutions. The under keepers holding their appointments from a superior and independent source, have been, too frequently, little regardless of the warden's orders or wishes; confusion and insubordination amongst convicts were the natural results.

In the ten governor bill this evil was designed to be remedied. Nor can we say that the letter of the law has not been complied with. But the spirit of it does not consist, with the exertion of an influence, even if that be but a simple recommendation, over the warden by the governors, in his selection of his subordinates. This we have reason to fear has been done, though we are willing to admit that it may have been done thoughtlessly. These gentlemen, as they grow more experienced in their duties, will doubtless hereafter tell the wardens that they will be held accountable for the men they employ, as well as the measures they pursue.

2. The modification of the city prison we have heretofore pointed out, both in our general reports and in those of the committee on detentions so fully, the imperative call for a radical and thorough reformation here, if necessary even to the demolition of the present buildings and the erection of others which the universal experience of the civilized world has adjudged as alone suitable for the wants of a house of detention, that we have little disposition to find fault with the board of governors, so long as they are compelled to use the conveniences which the city now affords them. Still, in waiting for the dawn of a better day, something should be done to remove the present darkness. Even the present buildings could be made much more available for the ends of humanity and of justice. Thus far we cannot see that any change of importance has been made since their appointment. But we shall look with confidence for more attention to this department of their duties, during the present year.

We wish that we could impress the fact upon the mind of every thinking man in the community, that our city prison is now literally and without exaggeration a moral pest house. We do not blame the faithful and energetic warden, nor his active and attentive assistants, for this. It is out of their power to help it.

The following statistics for this prison for the past year, include not only the halls of justice proper, but the two district prisons located the one near Jefferson market and the other near Essex market. On the Jefferson market or second district prison there were 1,929 commitments, and in Essex market or the third district prison there were 1,982 commitments. Total for the two prisons 3,911.

## CITY PRISON—FIRST DISTRICT.

	White males.	White females.	Black males.	Black females.	Total
Remaining in prison January 1, 1849,.....	147	61	11	5	224
Committed from Jan. 1, to Dec. 31, 1849, in- clusive,.....	8937	4407	661	310	14355
	8830	4346	650	305	14131
During that period Discharged,.....	7785	2942	486	187	10799
Executed,.....	1	0	0	0	1
Deceased,.....	15	3	1	0	19
Escaped,.....	3	0	0	0	3
Sent to Blackwell's Island,.....	1590	1405	143	116	3254
State Prison,.....	112	9	15	1	137
	8866	4259	644	304	14173
Remaining in prison Dec. 31, 1849,....	111	43	17	6	182



	Males.	Females.	Total
The total number of prisoners committed for examination was.....	2,300	731	3,031
Of whom were subsequently committed.....	656	205	861
	<u>1,644</u>	<u>526</u>	<u>2,170</u>
Died, .....	4	0	4
Discharged within five days, .....	1,388	419	1,807
"    ten days, .....	149	66	215
"    twenty days, .....	72	28	100
"    thirty days, .....	13	9	22
"    forty days, .....	2	0	2
"    fifty days, .....	2	0	2
"    sixty days, .....	2	0	2
"    seventy days, .....	1	0	1
Remaining in prison December 31, 1849,.....	11	4	15
	<u>1,644</u>	<u>526</u>	<u>2,170</u>

	Males.	Females.	Total
Of the whole number, were temporarily committed and discharged on examination,.....	1,644	526	2,170
Committed for intoxication,.....	3,038	1,977	5,015
Petit larceny, .....	1,390	387	1,777
Vagrancy, .....	782	1,278	2,060
Assault and battery,.....	1,157	156	1,313
Disorderly conduct,.....	420	87	507
Grand larceny,.....	246	49	295
Alms House, .....	142	56	198
Insanity,.....	124	92	216
Burglary,.....	109	2	111
Attempt to kill,.....	26	1	27
Misdemeanor,.....	25	6	31
Robbery, .....	37	1	38
Abandonment, .....	31	0	31
Obtaining property on false pretences, .....	18	2	20
Violation of corporation ordinances,.....	13	6	19
Forgery, .....	23	2	25
Attempt to commit larceny, .....	7	1	8
Assault,.....	5	0	5
Bastardy, .....	21	0	21
Keeping a disorderly house,.....	11	4	15

	Males.	Females.	Total.
Perjury, .....	12	0	12
Receiving stolen goods,.....	12	4	16
Riot,.....	14	0	14
Desertion, .....	13	0	13
Murder, .....	6	1	7
Embezzlement, .....	9	0	9
Witness, .....	8	3	11
Conspiracy,.....	3	0	3
Rape,.....	6	0	6
Illegal voting,.....	8	0	8
Bigamy, .....	7	1	8
Arson, .....	7	0	7
Attempt to rob, .....	2	0	2
Suborning perjury,.....	1	0	1
Indecent exposure of person,.....	3	3	6
Offences against nature,.....	5	0	5
Attempt to commit burglary,.....	3	0	3
do    rape,.....	5	0	5
do    grand larceny,.....	3	0	3
Attempt to break prison,.....	1	0	1
Fraud, .....	1	0	1
Manslaughter, .....	4	0	4
Carrying slung shot,.....	5	0	5
Assault and rescuing prisoners,.....	4	0	4
Malicious mischief,.....	2	1	3
Mayhem, .....	2	0	2
Aiding escape of prisoners, .....	2	0	2
Selling obscene books and prints,.....	2	0	2
Commissioners of emigration, .....	1	1	2
Selling lottery policies, .....	1	0	1
Abduction,.....	1	0	1
Soliciting emigrant passengers without license, .....	1	0	1
Cruelty to animals,.....	1	0	1
Selling spirituous liquors without license, .....	1	0	1
Clipping coin,.....	1	0	1
Personating an officer, .....	1	0	1
Seduction,.....	1	0	1
United States prisoners .....	52	4	56
Total,.....	<u>9,480</u>	<u>4,651</u>	<u>14,131</u>

The following table exhibits the nativity, social relations, habits of life and education of the prisoners as obtained from each at the time of commitment :

	Males.	Females.	Total.
Foreigners, .....	6,939	3,431	10,370
Natives, .....	<u>2,541</u>	<u>1,220</u>	<u>3,761</u>
Married, .....	4,151	1,434	5,585
Single, .....	5,056	2,663	7,719
Widowed, .....	252	541	793
Have children, .....	3,661	1,182	4,843
*Unknown, .....	<u>21</u>	<u>13</u>	<u>34</u>
Temperate, .....	948	202	1,150
Intemperate, .....	<u>8,532</u>	<u>4,449</u>	<u>12,981</u>
Cannot read, .....	4,128	3,140	7,268
Can read, .....	5,231	1,498	6,829
Well educated, .....	845	701	1,546
Classically educated, .....	23	0	23
*Unknown, .....	<u>21</u>	<u>13</u>	<u>34</u>
Number committed under 10 years of age, ..	19	9	28
do between 10 and 15 do ..	199	26	225
do do 15 20 do ..	813	460	1,273
do do 20 30 do ..	4,084	1,731	5,815
do do 30 40 do ..	2,219	1,318	3,537
do do 40 50 do ..	1,714	969	2,683
do do 50 60 do ..	368	116	484
do do 60 70 do ..	44	22	66
do do 70 80 do ..	20	0	20
	<u>9,480</u>	<u>4,651</u>	<u>14,131</u>

*Trades or Occupations.*

Accountant, .....	21
Agent, .....	6
*Insane.	

Apprentice, .....	1
Architect, .....	2
Artist, .....	7
Auctioneer, .....	6
Baker, .....	95
Basket maker, .....	8
Bandbox maker, .....	6
Barber, .....	36
Bar tender, .....	26
Bell hanger, .....	2
Bellows maker, .....	1
Bill poster, .....	1
Block maker, .....	5
Boatman, .....	109
Boat builder, .....	2
Boarding house keeper, .....	9
Book binder, .....	20
Book seller, .....	14
Book keeper, .....	10
Brick maker, .....	5
Boot and Shoe maker, .....	281
Boot black, .....	5
Boot tree maker, .....	1
Brass founder, .....	13
Butler, .....	1
Butcher, .....	103
Blacksmith, .....	107
Broker, .....	13
Brick layer, .....	16
Boiler maker, .....	9
Brush maker, .....	8
Builder, .....	6
Button maker, .....	1
Box maker, .....	1
Brazier, .....	3
Broom maker, .....	1
Bottler, .....	3
Blacking maker, .....	1
Brewers, .....	2
Buck maker, .....	1

Carpenter, .....	242
Carver, .....	10
Cabinet maker, .....	44
Calker, .....	7
Carman, .....	61
Clerk, .....	227
Chemist, .....	1
Clothier, .....	6
Clothier, .....	14
Chair maker, .....	2
Copper plate printer, .....	2
Coachman, .....	19
Coach maker, .....	2
Coach maker, .....	8
Chimney sweep, .....	1
Cotton presser, .....	1
Cotton spinner, .....	4
Cotton spinner, .....	1
Cotton worker, .....	1
Cloth maker, .....	2
Cloth maker, .....	3
Contractor, .....	58
Cooper, .....	6
Copyist, .....	7
Coppersmith, .....	7
Collier, .....	2
Confectioner, .....	19
Carrier, .....	12
Cutler, .....	8
Cook, .....	17
Coal heaver, .....	9
Carpet dealer, .....	2
Comb maker, .....	1
Carriage maker, .....	6
Collector, .....	1
Collector, .....	3
Canalman, .....	1
Cabin boy, .....	1
Coach trimmer, .....	1
Conveyancer, .....	1
Charcoal dealer, .....	1
Caterer, .....	1
Coal dealers, .....	1
Coal dealers, .....	1
Chiropodist, .....	1
Cap maker, .....	2

Clock maker, .....	1
Draper, .....	2
Drover, .....	6
Dyer, .....	6
Distiller, .....	1
Dock builder, .....	2
Druggist, .....	3
Dauguerrean, .....	5
Draughtsman, .....	1
Dentists, .....	2
Engineer, .....	27
Engraver, .....	13
Expressman, .....	1
Editor, .....	3
Equestrian, .....	1
Errand boy, .....	4
Farmer, .....	93
Fisherman, .....	6
Founder, .....	11
Fruiter, .....	17
Furrier, .....	3
Fly boy, .....	1
Fencing master, .....	1
Fireman, .....	6
Farrier, .....	1
Folder, .....	2
Footman, .....	1
Florist, .....	1
Fowl picker, .....	1
Flute maker, .....	1
Gardner, .....	24
Gilder, .....	7
Glass cutter, .....	3
Gold beater, .....	1
Goldsmith, .....	5
Grate setter, .....	1
Grocer, .....	52
Gunsmith, .....	14
Gas maker, .....	1

Gas fitter, .....	2
Glaziers, .....	1
Guager, .....	1
Glove maker, .....	1
Hack driver, .....	5
Hatter, .....	28
Harness maker, .....	2
Hostler, .....	1
Horse dealer, .....	1
Hemp dresser, .....	1
Iron worker, .....	7
Inn keeper, .....	5
Ice vender, .....	2
Ivory polisher, .....	1
Jeweller, .....	14
Joiner, .....	4
Junk dealer, .....	11
Japanner, .....	3
Laborer, .....	3271
Lapidary, .....	3
Lawyer, .....	5
Leather dresser, .....	2
Linguist, .....	2
Locksmith, .....	17
Liquor dealer, .....	16
Lumber dealer, .....	5
Letter carrier, .....	1
Leather manufacturer, .....	2
Lather, .....	2
Lath maker, .....	2
Lime burner, .....	1
Lamp maker, .....	2
Lace worker, .....	1
Lecturer, .....	1
Leather dealer, .....	2
Lumberman, .....	1
Livery stable keeper, .....	2
Machinist, .....	60
Manufacturer, .....	9

Marble cutter, .....	15
Mason, .....	100
Merchant, .....	87
Milkman, .....	6
Miller, .....	4
Morocco maker, .....	2
do dresser, .....	2
do dealer, .....	1
Moulder, .....	27
Montebank, .....	1
Musician, .....	23
Miner, .....	3
Match seller, .....	2
Match maker, .....	4
Mathematician, .....	1
Millwright, .....	1
Manager, .....	2
Measurer, .....	1
News vender, .....	24
Net maker, .....	1
Nail maker, .....	1
Night scavenger, .....	1
Nurse, .....	1
Oysterman, .....	19
Optician, .....	2
Oil maker, .....	1
Oil dealer, .....	1
Occulist, .....	1
Painter, .....	73
Pavior, .....	6
Pedler, .....	81
Physician, .....	14
Plasterer, .....	15
Plumber, .....	9
Polisher, .....	2
Porter, .....	46
Porter house keeper, .....	7
Printer, .....	61
Print seller, .....	1

Pugilist, .....	2
Packer, .....	5
Policy dealer, .....	1
Pen maker, .....	1
Pencil maker, .....	4
Publisher, .....	1
Professor, .....	1
Paper maker, .....	3
Paper dealer, .....	1
Paper stainer, .....	1
Piano forte maker, .....	2
Police officer, .....	1
Pensioner, .....	1
Poultry dealer, .....	1
Plane maker, .....	2
Pilot, .....	1
Plaster-paris maker, .....	1
Pawn-broker, .....	3
Quarrier, .....	10
Refectorer, .....	3
Reporter, .....	1
Rigger, .....	14
Ropemaker, .....	18
Runner, .....	6
Rule maker, .....	1
Ragpicker, .....	2
Root beer maker, .....	2
Saddler, .....	20
Sailmaker, .....	8
Sawyer, .....	18
Seaman, .....	542
Segar maker, .....	8
Sculptor, .....	1
Scissors grinder, .....	1
Scissors grinder, .....	6
Silversmith, .....	6
Silversmith, .....	18
Shipwright, .....	18
Ship chandler, .....	2
Shipper, .....	1
Sawfiler, .....	3

Skinner, .....	2
Soldier, .....	30
Soap fat collector, .....	1
Soap maker, .....	2
Soda water manufacturer, .....	6
Speculator, .....	6
Stone cutter, .....	33
Stone polisher, .....	2
Stevadore, .....	8
Steward, .....	14
Stage driver, .....	6
Sugar baker, .....	1
Sugar crusher, .....	1
Sugar refiner, .....	1
Scavenger, .....	3
Sash maker, .....	5
Spar maker, .....	1
Swill boy, .....	1
Surveyor, .....	3
Spinner, .....	1
Scourer, .....	1
Stationer, .....	2
Spice dealer, .....	2
Tailor, .....	223
Tanner, .....	6
Teacher, .....	11
Tinsmith, .....	43
Tobacconist, .....	7
Trunk maker, .....	4
Turner, .....	21
Type founder, .....	5
Tea dealer, .....	2
Tin roofer, .....	3
Teamster, .....	7
Tunneller, .....	1
Tempin boy, .....	4
Theatrical performer, .....	3
Upholsterer, .....	9
Umbrella maker, .....	9

Unknown,*	36
Varnisher,	5
Vocelist,	2
Waiter,	336
Watchmaker,	8
Watch-case maker,	1
Watch-glass maker,	1
Weaver,	38
Wheelwright,	12
Whitesmith,	1
Whitewasher,	10
Weigher,	1
Wig maker,	1
Whalebone worker,	2
Wire worker,	6
Without trade or occupation,	1511

*Trades or Occupations of Female Prisoners.*

Cap maker,	3
Beggar,	8
Laundress,	37
Sempstress,	31
Without trade, &c.,	1104
Bawd,	1
Cook,	14
Prostitute,	1854
Tailoress,	33
Dressmaker,	14
Fringe maker,	2
Servant,	1538
Unknown,*	22

Total number of commitments to the City Prison and its branches from Jan. 1st to Dec. 31st, 1849:

First District Prison,	14,131
Second do	1,929
Third do	1,982

Total number of commitments for 1849,.... 18,042

\*Jesse.

REPORT OF THE SECOND DISTRICT PRISON FOR THE YEAR 1849.

The number of prisoners committed to this establishment, (exclusive of those transferred to the 1st District Prison,) from Jan. 1st to Dec. 31st, 1849, were—

White males,	1,519
White females,	389
Black males,	16
Black females,	5
Total,	<u>1,929</u>

The commitments from Jan. 1st to Dec. 31st, were for offences as follows:

	Fully committed.		Temp'ly com'd.		Total.
	Males.	Females.	Males.	Females.	
For intoxication,	346	185	203	38	772
Disorderly conduct,	101	10	235	23	369
Assault and battery,	85	15	64	10	174
Larceny,	1	0	57	9	67
Grand larceny,	0	2	26	8	36
Petit larceny,	8	4	45	11	68
Riot,	6	0	42	0	48
Burglary,	0	0	28	0	28
Violation of corporation ordinances,	0	0	30	0	30
Vagrancy,	0	1	28	30	59
Bastardy and abandonment,	2	0	26	0	28
Insanity,	1	0	13	4	18
Murder,	0	0	2	0	2
Receiving stolen goods,	0	0	2	0	2
Contempt of court,	0	0	1	1	2
Forgery,	0	0	4	0	4
Arson,	0	0	3	2	5
Stabbing,	0	0	5	0	5
Stabbing with intent to kill,	0	0	5	0	5
Destitution,	0	0	2	2	4
Gross indecency,	0	0	1	1	2
Rape,	0	0	2	0	2

Witness, .....	0	0	4	0	4
Shooting, .....	0	0	3	0	3
Obtaining property by false pretences, .....	1	0	1	1	3
Escaping from prison, .....	1	0	2	0	3
Seduction, .....	0	0	2	0	2
Highway robbery, .....	0	0	1	0	1
Illegal voting, .....	0	0	1	0	1
Kidnapping, .....	0	0	0	1	1
Misdemeanor, .....	1	0	0	0	1
Felony, .....	0	0	2	0	2
Offences not specified in commitment, .....	0	0	142	36	178
	<u>553</u>	<u>217</u>	<u>982</u>	<u>177</u>	<u>1,929</u>

## REPORT OF THE THIRD DISTRICT PRISON.

The number of prisoners committed from January 1st to December 31st, 1849, (exclusive of those transferred to First District Prison,) 1982.

The commitments from January 1st to December 31st, 1849, were for offences as follows, viz :

	Full.	Temp'ry.	Total.
Intoxication, .....	304	414	718
Assault and battery, .....	105	153	258
Disorderly conduct, .....	36	371	407
Grand larceny, .....	5	34	39
Petit larceny, .....	41	99	140
Suspicion of larceny, .....	9	101	110
Obtaining goods by false pretences, .....		10	10
Fraud, .....		9	9
Attempt to commit larceny, .....	1	1	2
Stabbing, .....	1	1	2
Passing counterfeit money, .....		9	9
Insanity, .....		13	13
Abandonment, .....	4	27	31
Bastardy, .....	4	9	13
Bigamy, .....		2	2
Perjury, .....		3	3

	Full.	Temp'ry.	Total.
Burglary, .....	3	7	10
Felony, .....	2	14	16
Misdemeanors, .....	1	45	46
Vagrancy, .....		53	53
Attempt to commit robbery, .....		4	4
Receiving stolen goods, .....		4	4
Embezzlement, .....		1	1
Seduction, .....		1	1
Witness, .....	2	3	5
Rape, .....		1	1
Arson, .....		3	3
Conspiracy, .....		2	2
Abduction, .....		2	2
Desertion, .....		1	1
Attempt to kill, .....		7	7
Riot, .....	2	58	60
	<u>520</u>	<u>1462</u>	<u>1982</u>

Whole number discharged as acquitted, not prosecuted, &c., 10,799, it being seventy-six per cent or more than three-quarters of the whole ; seventy-two per cent, or nearly three-quarters of those committed for examination were discharged on examination, and only twenty-eight per cent fully committed. The number of different offences committed by the males was fifty-eight; and the number committed by females only twenty-five, in all of which the number of the males exceed the females except vagrancy. Seventy-three and four-tenths per cent are foreigners, and only twenty-six and six-tenths per cent natives. Ninety-one and eight-tenths per cent are intemperate, and only eight and two-tenths per cent temperate. Fifty-one and four tenths per cent cannot read, and only eleven per cent are even well educated. While the increase of prisoners received has been about twelve per cent over the preceding year, the increase of male commitments has been twenty-two per cent, and the female prisoners have decreased two per cent. The great apparent increase of colored prisoners is owing principally to greater care in designating them.

An examination of the table of trades and occupations will show that out of the four thousand seven hundred and one females received,

Commitments to City Prison

only one hundred and forty-two had trades; that one thousand five hundred and thirty-eight were servants, one thousand eight hundred and fifty-four prostitutes, and one thousand one hundred and four without any regular occupations. If, as undoubtedly is the fact in regard to most of them, we add this number to the one thousand eight hundred and fifty-four, we shall have two thousand nine hundred and fifty-eight, or sixty-two and nine-tenths per cent of unchaste women.

The following comparative view of the statistics of 1848 and 1849, affords some interesting particulars:

	1848.	1849.	Increase within the year.	Deer'se.
Whole No. of prisoners received within the year,.....	12,584	14,173	1,547	
Whole No. of males,.....	7,799	9,510	1,711	
do females,.....	4,785	4,663		122
do blacks,.....	532	948	416	
Committed for examination,.....	2,610	3,031	420	
Intoxication,.....	4,280	5,015	725	
Petit larceny,.....	1,693	1,777	84	
Vagrancy,.....	1,629	2,060	431	
Assault,.....	1,114	1,313	199	
Grand larceny,.....	257	295	38	
Burglary,.....	77	111	34	
Murder,.....	5	7	2	
Disorderly conduct,...	353	507	254	

#### THE PENITENTIARY.

Probably no prison in the world so greatly needs entire reform in its plan and discipline, as our county penitentiary on Blackwell's Island. It has too long been famous, not only as being one of the largest, but one of the worst governed prisons in christendom.

The governors, doubtless, are not blameworthy for the wrong system which they found in existence when they came into power. But we regret that in their report there is no allusion to the generally excellent remarks of the warden of the penitentiary, on this and kindred subjects. In truth, this whole subject of prison discipline is one with which they have got to grapple. And we have an abiding confidence that it will yet be found that their appointment will secure

the changes in the plans and discipline of our city prisons, for which our Association has so long striven in vain. Such a result would indeed entitle them to the confidence and respect of the community.

The warden of the penitentiary reports the following receipts and discharges from June 1, 1849, to December 31, 1849, inclusive:

Males from court,.....	472
“ for vagrancy,.....	549
Females for “.....	1008
“ “.....	80
	<hr/>
	2109
	<hr/>

#### Discharged.

By expiration of sentence, males,.....	778
“ “ females,.....	765
By habeas corpus, females,.....	239
“ males,.....	70
By death, males,.....	63
“ females,.....	141
	<hr/>
	2066
	<hr/>

#### Remaining in Prison Dec. 31, 1849.

Of foreign birth, males and females,.....	564
native born, “ “.....	246
	<hr/>
	810
	<hr/>

Of the whole number since June 1, 1849:

Convicted of petit larceny, 425; assault and battery, 115; other misdemeanors, 12; vagrancy, 1557; total, 2109.

No escapes are noted in the amount of discharges; the report in that respect is undoubtedly defective, as a large number are said to have been discharged during the year.

We regret that the warden has not given us any account of the receipts and disbursements of the Institution. It was hoped and expected that when the ten governors assumed the control of this Insti-



tution, they would yearly present an intelligible account of the financial operations. Such a course seems to be absolutely necessary, to enable us to compare it with other similar institutions.

### WORK-HOUSE.

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 of 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 two thousand dollars a week, or over one hundred thousand dollars a year, a greater amount than is earned by the eight hundred in the Penitentiary. The Institution, however, at present, labors under one great disadvantage, which it should be the duty of the proper authorities immediately to remedy. We refer to the necessity of a proper building, separate and apart from the alms-house, which shall be competent to contain not only all the paupers who may voluntarily avail themselves of the benefit of the Institution, but all the vagrants who are now committed to the Penitentiary. The building should be so arranged as to afford complete separation of these two classes, and allow the classification of each. It is due to the city, in providing for this department of our prison and alms-house, that we should have a building constructed after the most approved models, and combining all the modern improvements. Such a building, in the hands and under the control of the present warden, would not only be creditable to our city as a model Institution, but would also become a source of considerable revenue; nor is it improbable that it might pay the expenses of its support, on the one hand, while it should act as a deterring agent on the other, and keep those drosses away from our charities and our prisons, who have habitually lived upon the city for years, because they were too lazy to work.

January 31, 1850.

DEAR SIR—In conformity with my promise I intended to have given you ere this a brief statement of the beginning and the progress we have made in the work house department under the "ten governors." But the press of business and duties devolving upon me in adjusting accounts, inventories, &c., &c., I trust you will deem as a sufficient apology for the delay.

On the 14th of June, 37 persons, in accordance with the law passed April 11, 1849, committed themselves to the work house for three months each. With this number operations were commenced, and under the most unfavorable circumstances, being compelled to make the beginning with such persons as were already in the alms house, and fit subjects too for receiving the charities of the city. A much larger number of able bodied men in the alms house, on being informed that they must either commit themselves to the work house or leave the island, chose the latter, rather than subject themselves to labor conducted on the principle of order and regularity, saying that they "did not come to the poor house to labor, neither would they; that they had been heavily taxed to support these several institutions, and now in their turn were entitled to all their advantages." A large majority of these, as well as those subsequently committed, were old and infirm, or diseased in some way, and entirely unfit for hard labor.

In the latter part of August the governors began to commit to the work house from their office in the park, most of whom were a better class of men, and sufficiently competent to do a fair day's labor. We are dependent upon the warden of the alms house for boarding and lodging our men, and indeed for every convenience required to carry on the operations of the work house.

It is utterly impossible to make a very satisfactory test of the practicability of a work house without adequate means to restrain habits of idleness and intemperance, and conveniences for the classification of the inmates. But as the experiment had to be made with the best means at my disposal, I entered upon the duties of superintendent with many forebodings of the result. I have no hesitation however 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 characters, and with stringent rules and regulations for its good government, that it will not only ameliorate and improve the moral condition of the 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 vagrant, and relieve it of more than half of its population, and remove the embarrassments created by its present crowded state. The penitentiary is large

enough with this arrangement to accommodate the city of New-York with her increase of population, for the next ten years.

The aggregate number of commitments to the work house from the 14th June to the 31st day of December inclusive, is----- 425.

During the same period we have discharged,-----	132
Died,-----	19
Ran away,-----	14
Sent to Bellevue Hospital,-----	3
Sent to Lunatic Asylum,-----	2

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 170
 

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Males on hand,-----	255
Females on hand,-----	4

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 Aggregate,-----
 

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 259
 

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Of the 425 males there were under 20 years of age,-----	18
Between 20 and 30 years,-----	39
“ 30 “ 40 “-----	77
“ 40 “ 50 “-----	92
“ 50 “ 60 “-----	114
“ 60 “ 70 “-----	59
And over 70 years,-----	26

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 425
 

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Their places of nativity are as follows, viz:

Ireland,-----	252
England,-----	26
Scotland,-----	14
France,-----	6
Germany,-----	33
Holland,-----	1
Hanover,-----	1
Wales,-----	4
Canada,-----	4

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 341
 

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Foreigners,-----

Ohio,-----	1
Connecticut,-----	1
Maine,-----	1
New Hampshire,-----	1
Massachusetts,-----	3
New-York,-----	64
New Jersey,-----	5
Vermont,-----	1
Virginia,-----	2
Pennsylvania,-----	3
Rhode Island,-----	1
Unknown,-----	1

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 Natives,-----
 

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 84
 

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 Aggregate,-----
 

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 425
 

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From the 14th of June to the 31st of December inclusive, we have received about 19,000 days work, more than one-half of which will compare well with labor performed on any public work in the country.

Very respectfully yours,  
 HARMON ELDRIDGE,  
*Supt. Work House.*

Messrs. REED, RUSSELL, and others,  
*Committee of Examination.*

John D. Russ, M. D., Dear Sir,—Subjoined is a statement giving you the amount of debits and credits of the Work House Department, from the 14th June to the 31st December, 1849, based upon a scale of prices which I will more fully explain in another place.

Dr. To amount of inventory of tools, &c.,	
when we began,-----	\$336 93
amount of requisitions on the store-keeper, as per his bill,-----	28,500 25
amount paid citizen carpenters, &c.,	474 50
amount paid inmates for services over their board and clothing, --	275 70
paid salaries to officers,-----	1,466 41
board bill allowed alms-house at 2 dollars per week for each inmate of the Work House,-----	6,398 77

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 \$37,952 56

Cr. By amount of goods manufactured and turned into the store,-----	\$25,433 25	
labor done at alms-house and grading, filling dock, fences, sea wall, &c.,-----	5,826 83	
labor done, &c., lunatic asylum,--	922 70	
labor of store-keeper,-----	718 65	
labor in nurseries, &c.,-----	55 37	
sundries, Penitentiary,-----	21 67	
inventory on the 31st December,--	12,387 08	
J. R's acct. picking wool,-----	47 02	
accounts against officers,-----	27 87	
	<hr/>	45,440 44
		\$7,487 68

The articles manufactured and delivered to the store-keeper, such as the various articles of clothing, shoes, coopers' ware, tin ware, coffins, baking the bread for all the public institutions, and some articles of carpenters' labor, I will refer you to the list of prices I gave you a day or two ago. But for grading in earth and rock, making sea-wall, stone and wood fences, sewers, dry wall, &c., I have charged 6s. per day, for able bodied men, and for those who could not shovel, wheel the barrow, or get out stone from the quarries, I have charged 2s. and 3s. per day, according to their physical abilities.

These prices were fixed for my own gratification and convenience, without authority or direction, further than to give the number of days work, and at what kind of work. In the account I gave you a day or two ago, I gave the number of cubic yards of earth and rock that had been removed, and the prices, &c.

In great haste,

I am truly yours,

H. ELDRIDGE.

The report of the ten governors shows that the number of days work performed in this institution during the above period, have been 27,179, the average number of prisoners 148 nearly, and the number of working days 184, making the earnings of each prisoner, \$73,98, for the whole period, or about 40 cents a day, an amount only a fraction less than the average daily earnings in our State prisons, evidently showing that if it should ever happen that our

city institutions should be thoroughly and efficiently organized, pauperism and crime would in a measure cease to be such a drain upon the public treasury as heretofore.

#### PRISON DISCIPLINE COMMITTEE.

The labors of this committee have been almost entirely suspended for the year, by the prohibition to our examination of the prisons of the State.

Long sensible, as we have been, of the stationary condition of our prison plans and discipline, it has been our most anxious desire, from the very organization of our association, so to collect and collate facts as they are daily occurring in our own Institutions, with the experience of other States and countries, as to educe therefrom the great principles which must lie at the basis of all sound reform. It is indeed true, that intelligent observers elsewhere are gradually approximating to identity of views on the questions of prison plans and discipline. In our own State, however, there is, and for a long time has been, a lamentable contentment with things as they are. Little has been done by the public authorities towards impartial and extended investigation; but few individuals amongst us have esteemed the subject one worthy of their attention, and so ignorance holds undisputed sway over us. And thus it will be until the practical workings of our plans are brought to view, scrutinized and examined by those who have no personal or political purposes to subserve.

In connection with this subject, we would here direct attention to a letter presented in the appendix, proposing certain improvements in prisons and prison discipline. As however, the committee have had no opportunity of examining and discussing this matter, they are unable at present to express any opinion thereon, other than to offer it as presenting new views on highly interesting and important subjects.

At another time, the committee hope to contribute something to the general fund of knowledge in relation to plans of prisons and modes of government and discipline.

The following table, marked A, presents a comparative view of the statistics of different prisons.

COMPARATIVE VIEW OF THE STATISTICS OF DIFFERENT PRISONS.

STATE PRISONS.	Years.	Age.				Crimes against property.				Crimes against the person.												
		Under 20.	Between 20 and 30.	Between 30 and 40.	Between 40 and 50.	50 years and over.	Larceny.	Burglary.	Counterfeiting and passing.	Forgery.	False pretences.	Arson.	Robbery.	Murder.	Intent to kill.	Man slaughter.	Rape and attempt.	Adultery.	Bigamy.	Poison.	All other crimes.	
Maine, do	1848	57	11	9	6	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
New Hampshire, do	1849	62	11	9	6	3	42	11	13	3	1	2	1	1	1	1	1	1	1	1	1	1
Vermont, do	1849	82	19	35	17	8	6	27	25	1	6	2	1	1	1	1	1	1	1	1	1	1
Massachusetts, do	1849	62	15	10	6	3	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Rhode Island, do	1849	48	5	10	9	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Connecticut, do	1849	69	57	33	16	8	6	4	19	3	3	2	1	1	1	1	1	1	1	1	1	1
Delaware, do	1849	102	50	27	15	8	25	33	183	56	36	2	15	23	12	43	11	4	3	6	18	6
Savannah, N. Y., do	1849	123	11	36	26	19	48	31	12	1	4	6	2	6	4	12	3	3	4	18	4	18
Clinton, do	1849	133	11	40	26	17	48	31	12	1	4	6	2	6	4	11	5	2	4	23	3	60
New Jersey, do	1849	157	57	34	16	8	21	4	5	2	8	2	1	1	1	1	1	1	1	1	1	1
New York, do	1849	185	26	88	36	21	60	32	11	4	4	6	6	6	4	11	5	2	1	1	1	1
M'corm Penitentiary, Pa., do	1849	235	10	54	32	18	21	4	2	1	4	5	2	1	1	1	1	1	1	1	1	1
M'corm Penitentiary, Va., do	1849	190	15	104	39	26	11	77	32	6	4	4	1	1	1	1	1	1	1	1	1	1
Tennessee, do	1849	192	21	82	24	14	11	81	4	11	4	1	3	36	7	12	8	5	1	1	1	1
Illinois, do	1849	136	51	29	13	6	85	48	28	63	1	4	36	15	24	18	10	3	3	27	19	19
Ohio, do	1849	135	51	27	13	6	85	48	28	63	1	4	36	15	24	18	10	3	3	27	19	19
Indiana, do	1849	136	51	27	13	6	85	48	28	63	1	4	36	15	24	18	10	3	3	27	19	19
Eastern State Penitentiary, Pa., do	1849	236	10	63	22	12	16	75	17	1	1	1	1	1	1	1	1	1	1	1	1	1
Eastern State Penitentiary, Pa., do	1849	236	10	63	22	12	16	75	17	1	1	1	1	1	1	1	1	1	1	1	1	1
Eastern State Penitentiary, Pa., do	1849	141	33	73	25	18	7	62	18	15	4	5	1	4	4	4	1	1	1	1	1	1
Kentucky, do	1849	141	33	73	25	18	7	62	18	15	4	5	1	4	4	4	1	1	1	1	1	1

COMPARATIVE VIEW OF THE STATISTICS OF DIFFERENT PRISONS.—(CONTINUED.)

STATE PRISONS.	Period of Imprisonment.			Average length of imprisonment.	Births.		Whole No. of colored.	Fardons, &c.			Employment.												
	Shortest period of imprisonment.	Longest period of imprisonment for life.	Imprisonment for life.		Native.	Foreign.		Paroled.	Recumittments.	Escaped.		Productive laborers.	Unproductive laborers.										
Maine, do	Y	20	10	6.6	0	21	1																
New Hampshire, do	Y	15	10	6.3	22	62	13	1															
Vermont, do	Y	20	9	7.1	1	2	1	1															
Massachusetts, do	Y	20	9	7.1	1	2	1	1															
Rhode Island, do	Y	15	10	6.6	3	16	6	1															
Connecticut, do	Y	15	10	6.6	3	16	6	1															
Delaware, do	Y	15	10	6.6	3	16	6	1															
Savannah, N. Y., do	Y	15	10	6.6	3	16	6	1															
Clinton, do	Y	15	10	6.6	3	16	6	1															
New York, do	Y	15	10	6.6	3	16	6	1															
M'corm Penitentiary, Pa., do	Y	15	10	6.6	3	16	6	1															
M'corm Penitentiary, Va., do	Y	15	10	6.6	3	16	6	1															
Tennessee, do	Y	15	10	6.6	3	16	6	1															
Illinois, do	Y	15	10	6.6	3	16	6	1															
Ohio, do	Y	15	10	6.6	3	16	6	1															
Indiana, do	Y	15	10	6.6	3	16	6	1															
Eastern State Penitentiary, Pa., do	Y	15	10	6.6	3	16	6	1															
Eastern State Penitentiary, Pa., do	Y	15	10	6.6	3	16	6	1															
Eastern State Penitentiary, Pa., do	Y	15	10	6.6	3	16	6	1															
Kentucky, do	Y	15	10	6.6	3	16	6	1															

1249

## EXPLANATORY NOTES.

**Maine, 1849:**

- e. Among the "Average length of sentences," are included two to be hang'd. Under the head "all other crimes," are incest 2, polygamy 2, total 4. And for 1849, incest 1, and assault with intent to rob 1, total 2.

**Vermont, 1849:**

- b. The report shows no record of age, crimes, period of imprisonment, birth, &c.

**Rhode Island:**

- Under the head "all other crimes," are destroying a mill dam 1.

**Connecticut:**

- c. Crimes for those only who were received during the year. No record of ages, length of sentences, births, &c. Under head "all other crimes," are horse stealing 2, breaking jail 2, incest 1, high crimes 1, total 6.

**Auburn:**

- Under head "all other crimes," abduction 1, crime against nature 3, incest and attempt 4, kidnapping 1, seduction 1, embezzlement 4, breaking jail or aiding 3, receiving stolen goods 1, total 18.

**Sing Sing:**

- d. 187 for burglary instead of 127, as reported to the inspectors by the chaplain. He, however, assures us that 127 is a typographical error, and that 187 is correct. Under head "all other crimes" are incest 2, mayhem 2, crime against nature 2, stealing child 1, receiving stolen goods 10, unaccounted for 6, total 23.

**Clinton:**

- Under head "all other crimes," assault with intent to rob 1.

**New Jersey:**

- e. There seems to be a discrepancy between the sum total of crimes and the sum total of other facts reported for this prison, the total of the other facts being 185—that of crimes is found to be only 183. Under the head "all other crimes," are assault and battery 25, breaking prison 4, burning 4, cutting timber 1, keeping disorderly house 7, malicious mischief 1, misdemeanor 11, riot 5, sodomy 1, uttering altered bank notes 1, total 60.

**Western Penitentiary, Pa.:**

- Among "all other crimes," conspiracy 2.

**Maryland:**

- Under head "all other crimes," felony 77, kidnapping 2, assisting slaves to run away 4, receiving stolen goods 3, enticing slaves to run away 2, enticing and harboring slave 1, assault on the high seas 1, total 90.

**Virginia:**

- f. Under head "larceny," are included slave stealing 4, carrying off slaves 6, aiding slaves to abscond 3, horse stealing 22, mule stealing 2, hog stealing 1, Under head "all other crimes," are maiming and wounding 4, receiving stolen goods 1, embezzlement 1, total 6.

**Tennessee:**

- Under head "all other crimes," malicious shooting 2, seducing slaves 2, polygamy 1, felony 2, persuading slaves to leave 1, selling a freeman of color 2, giving slaves forged passes 1, felonious assault 1, malicious stabbing 9, barnburning 1, special act of Legislature 1, total 19.

**Georgia:** g. There seems to be a discrepancy between the sum total of crimes and the sum total of other facts reported for this prison—the sum total of other facts being 1153, while that of crimes appears to be but 1145. Under the head "All other crimes," are altering bills 1, assault and battery 6, aiding to escape 3, bestiality 3, breach of trust 2, cheating and swindling 3, escape 6, embezzlement 1, gambling with negroes 4, harboring slaves 1, illegal voting 2, inveigling slaves 14, illegal residence 3, kidnapping 2, mayhem 7, misdemeanor 16, polygamy 2, riot 8, receiving stolen goods 2, sodomy 1, vagrancy 23, total 110.

**Indiana:** h. Under head "intent to kill," are for assault and battery with intent to murder 1, burglary and assault and battery with intent to murder 1, burglary and larceny with intent to murder 1, administering poison to commit murder 1.

i. Under head "rape and attempt," assault and battery and larceny with intent to commit rape 1. Under head "all other crimes," receiving stolen goods 1, incest 1, kidnapping 1, total 3.

**Ohio:** j. There seems to be a discrepancy of 10 in the total of ages. Under head "all other crimes," are assault with intent to rob 2, attempt to commit arson 3, carnal knowledge of an insane woman 1, horse stealing 31, incest 1, making and keeping counterfeiting tools 1, receiving stolen goods 1, stealing money from Post Office 1, stealing bank bills 3, stabbing with intent to wound 1, stealing letters and money from mail 1, stealing and embezzling from mail 1, malicious shooting 1, uttering and publishing promissory notes 1, total 49.

**Massachusetts:** Among "all others," are incest 1, assault with intent to rob 1, common and notorious thief 22, lewd and lascivious cohabitation 3, receiving stolen goods 3, attempt to break and enter a bank with intent to steal 2, stealing 1, polygamy 1, accessory to larceny before the fact 1, sodomy 2, total 37.

k. Under head "average length of imprisonment," one sentence is unaccounted for. (l.) Remission of sentence, in all cases is included with pardons.

**Illinois, 1848:** l. Age of one unaccounted for.

m. Under head "larceny," one under two charges. Under "all others" receiving stolen goods 2.

n. Since last report, 6th Dec. 1846, 33 pardoned by Gov. of Illinois; one pardoned by President of United States; two discharged by order of Supreme Court; ten died, three escape 1.

**Michigan, 1849:** o. Ages unaccounted for.

p. Crimes for those received "during the year," only—"all others," assault with intent to rob and steal 1, crime against nature 1, receiving stolen goods 1, total 3.

q. Sentences and average length of imprisonment for those received "during the year only."

**Eastern State Penitentiary:** \* Age, crime, length of imprisonment, birth, recommitments, are for the number received during the year only. Under the head "all other crimes," are horse stealing 4, receiving stolen goods 1, riot 16, kidnapping 2, malicious mischief 1, conspiracy 2, total 25. The average length of imprisonment is for 127 only, 1 being confined for lunacy—no term given.

**Kentucky:** † Among "all others," are horse stealing 29, assisting slaves to run away 4, fraud 1, sheep stealing 1, stealing slaves 1, total 37.

## NUMBER RECEIVED AND DISCHARGED.

*Maine*, 1848—Number of convicts in prison April 30, 1847, 70; received since, 22; discharged on expiration of sentence, 21; pardoned, 2; removed to the Insane hospital, 2; remaining April 30, 1848, 67.

*New Hampshire*, 1849.—Number of convicts July 1st, 1848, 77; since received, 17; discharged by expiration of sentence, 9; pardoned, 2; died, 1; remaining in confinement May 31, 1849, 82, of whom 80 are males and 2 are females.

*Vermont*.—Whole number in confinement September 1, 1848, 52; since received, 34; discharged by expiration of sentence, 13; pardoned, 6; died, 4; escaped, 1; leaving in confinement September 1st, 1849, 62.

*Rhode Island*.—Number of convicts in prison 30th September, 1848, 20; since received, 16, which with 2 returned escaped convicts, makes 38; discharged by expiration of service, 4; by General Assembly, 4; died, 2, leaving 30th September, 1849, 28; 27 males and 1 female.

*Connecticut*.—Number in confinement March 31, 1848, 150; since received, 57; discharged by expiration of sentence, 34; pardoned, 7; died, 9; leaving in confinement March 31st, 1849, white males, 106, colored males, 36; white females, 10, colored females, 6; total 157.

*Auburn*.—The number in prison December 1st, 1848, was 452; since received, 298; discharged by expiration of sentence, 118; pardoned by the Governor, 12; by the president, 2; died, 7; sent to Lunatic Asylum, 2; leaving in prison December 1st, 1849, 609.

*Sing Sing*.—The number of male convicts in prison December 1st, 1848, was 611; since received, 214; number transferred from Clinton prison to this, 30; returned from Lunatic Asylum, cured, 1; an escape retaken, 1; discharged by expiration of sentence, 133; pardoned, 11; taken out on writ of habeas corpus, 1; died by sickness, 19; accidentally killed, 2; escaped and not retaken, 3; drowned in attempting to escape, 1; shoemakers transferred to Auburn prison, 14; removed to the House of Refuge, N. Y., (juvenile,) 1; total of male convicts remaining in prison December 1, 1849, 672.

Number of female convicts in this prison December 1st, 1848, 83; received during the year ending November 31st, 1849, 29; discharged by expiration of sentence, 32; pardoned, 2; total of female convicts remaining in prison December 1st, 1849, 78.

*Clinton*.—The number in prison December 1st, 1848, was 163, received during the year, 65; discharged by expiration of sentence, 33; pardoned, 4; died, 4; sent to Lunatic Asylum, 1; removed to Auburn and Sing Sing prisons, 62; remaining in prison on 1st December, 1849, 124.

*New Jersey*.—In prison December 31st, 1848, 176; since received, 108; discharged by expiration of sentence, 79; pardoned, 17; deaths, 3, (one of which was from the hands of a fellow prisoner who was insane,) leaving in confinement on the 31st day of December, 1849, 185.

*Western Penitentiary, Pa.*—Remaining in prison from the past year, 115; since received, 84; discharged by expiration of sentence, 54; pardoned, 15; died, 7; remaining January 1st, 1850, 123.

*Maryland*.—Remaining in prison November 30th, 1848, 258; received during the year ending November 30, 1849, 78; discharged by expiration of sentence, 75; pardoned, 11; died, 21; leaving in confinement 30th November, 1849, 229.

*Virginia*.—In prison October 1st, 1848, white 117, colored 83, total 200; received from October 1st, 1848 to September 30th, 1849, white 43, colored 13, total 56; discharged by expiration of sentence, white 24, colored 8, total 32; pardoned, white 9, colored 2, total 11; died, white 7, colored 7, total 14; remaining 30th September, 1849, white 120, colored 79, total 199.

*Tennessee*.—In confinement September 30, 1847, 195; since received, 124; discharged by expiration of sentence, 41; by law of 1836, 54; by general pardon, 14; died, 18; remaining in prison September 30, 1849, 192.

*Georgia*.—In prison October 2d, 1848, 98; since received, 31; discharged by pardon from Legislature of 1847, 1; executive pardon, 33; died, 3, leaving in prison Oct. 1st, 1849, 92.

*Indiana*.—In confinement 30th November, 1848, 140; since received, 45; discharged—by expiration of sentence, 31; pardoned, 8; died, 12; escaped, 2; remanded back for a new trial by Supreme Court, 1; now in confinement, 131.

*Ohio*.—Number in confinement 30th November, 1848, was 425; since received, 156; discharged by expiration of sentence, 58; pardoned by Governor, 58; pardoned by President U. States, 4; died from cholera, 115; from other disease, 6; writ of error, 1; escape during the cholera, 3; leaving in prison November 30th, 1849, 336.

*Massachusetts*.—The whole number remaining in prison October 1st, 1848, was 281; since received, 190; escaped retaken, 1; total 472; discharged during the year ending September 30th, 1849, by expiration of sentence, 104; by remission of sentence, 15; by pardon, 1; died, 3; leaving in prison September 30th, 1849, 349.

*Maine*, 1849.—Number in prison April 30th, 1848, 47; since received, 19; total 86; discharged on expiration of sentence, 16; pardoned, 3; remaining in prison April 30th, 1849, 67.

*Illinois*, 1848.—Number in prison 6th December, 1846, 137; since received, 115; discharged by expiration of sentence, 85; pardoned by Governor, 33; by the President of the U. S., 1; by order of the Supreme Court, 2; died, 10; escaped, 3; leaving in prison the 1st of January, 1849, 118.

*Michigan*.—Number in prison November 30th, 1848, 128; received during the year ending November 30, 1849, 31; discharged by pardon, 16; by expiration of sentence, 30; escaped, 2; died, 1; remaining in prison November 30th, 1849, 110.

*Eastern Penitentiary*.—Number in prison January 1st, 1850, 299; received during the year, 128; discharged by expiration of sentence, 81; by pardon, 34; by death, 6.

*Texas*.—Number in prison April 22d, 1850, 6; received during 15 months, 6; discharged, none; pardoned, none; died, none; recommitted, none.

*Kentucky*.—Number in prison December 1st, 1848, 161; received during the year ending December 1st, 1849, 52; discharged by ex-

piration of sentence, 42; by pardon, 23; died, 4; escaped, 3; remaining in prison December 1st, 1849, 141.

## NATIVITY.

*Maine*, 1848.—Born in Maine 37, Massachusetts 6, England 2, Halifax 1, Ireland 9, Pennsylvania 1, New-York 3, New-Hampshire 2, Nova Scotia 1, Scotland 2, Virginia 1, Unknown 1, total 67.

*Maine*, 1849.—Maine 41, Massachusetts 4, New Hampshire 3, England 2, Halifax 1, Ireland 8, Pennsylvania 1, New-York 3, Nova Scotia 1, Scotland 2, Virginia 1, total 67.

*New-Hampshire*, 1849.—New-Hampshire 45, Canada 2, England 3, Germany 2, Ireland 9, Maine 4, Massachusetts 7, New-York 6, Vermont 4, total 82.

*Massachusetts*, 1849.—Canada 7, Massachusetts 124, Connecticut 9, Delaware 1, District of Columbia 1, England 23, France 2, Georgia 1, Germany 4, Ireland 55, Louisiana 2, Maine 16, Maryland 1, New-Jersey 4, New-Hampshire 19, New-York 32, North Carolina 3, Nova Scotia 6, Ohio 2, Pennsylvania 3, Rhode Island 11, Scotland 6, Vermont 5, Virginia 2, Texas 1, Florida 1, Ojibewa Nation 1, New-Brunswick 3, Prince Edward's Island 1, Cuba 1, Barbadoes 1, New-Holland 1, total 349.

*Rhode Island*, 1849.—England 3, Ireland 4, Massachusetts 4, New-York 4, Nova Scotia 1, Rhode Island 11, Scotland 1, total 28.

*N. Y., Auburn*, 1849.—Canada 15, East Indies 1, England 37, France 2, Germany 19, Hungary 1, Ireland 56, Russia 1, Scotland 6, Sweden 1, United States 469, West Indies 1, total 609.

*N. Y., Sing Sing*, 1849.—*Male and Female Prisons*.—At sea 3, Belgium 1, Canada 11, England 44, France 3, Germany 52, Ireland 144, Italy 1, Mexico 1, Scotland 12, South America 2, United States 447, Unknown 1, West Indies 5, total 727.

*N. Y., Clinton*, 1849.—Canada 10, England 3, Germany 7, Ireland 17, New South Wales 1, Poland 1, Scotland 3, United States 83, total 124.

*New-Jersey*, 1849.—Canada 4, Connecticut 2, Delaware 1, England 7, Germany 5, Ireland 20, Italy 2, Maine 1, Maryland 3, New-Jersey 90, New-York 37, Pennsylvania 19, Scotland 1, South-Carolina 1, Vermont 1, Virginia 1, total 185.

*Pennsylvania*, 1849—*West. rn Penitentiary*.—At sea 1, Canada 2, Connecticut 2, England 3, France 1, Germany 13, Ireland 10, Kentucky 4, Louisiana 1, Maine 1, Maryland 8, Massachusetts 2, New-York 13, Ohio 2, Pennsylvania 48, Poland 2, Prussia 1, Scotland 1, Vermont 1, Virginia 6, Wales 1, total 123.

*Pennsylvania*, 1849—*Eastern Penitentiary*.—Canada 2, Delaware 2, District of Columbia 2, England 3, Georgia 1, Germany 18, Ireland 22, Kentucky 1, Louisiana 1, Maine 1, Maryland 8, New Jersey 5, New-York 8, Pennsylvania 48, Poland 1, Prussia 1, Scotland 1, Virginia 3, total 128. (The number received during the year only.)

*Maryland*, 1849.—Delaware 2, District of Columbia 1, England 1, Germany 24, Ireland 8, Indiana 1, Kentucky 1, Louisiana 2, Maryland 155, Massachusetts 4, New-Jersey 1, New-York 4, Ohio 1, Pennsylvania 10, Rhode Island 1, Scotland 2, South Carolina 1, Virginia 7, Mississippi 1, Wales 1, West Indies 1, total 229.

*Virginia*, 1849.—England 1, Germany 2, Ireland 1, Kentucky 2, Maine 1, Maryland 4, New-Jersey 1, New-York 5, North Carolina 3, Ohio 3, Pennsylvania 3, Scotland 2, South Carolina 2, Tennessee 5, Virginia 164, total 199.

*Tennessee*, 1849.—Alabama 4, Delaware 1, England 1, Georgia 4, Indiana 1, Illinois 2, Ireland 3, Kentucky 14, Louisiana 1, Maryland 1, New-York 5, North Carolina 31, Ohio 7, Pennsylvania, 3, Prussia 1, South Carolina 9, Tennessee 84, Virginia 20, total 192.

*Indiana*, 1849.—Alabama 2, Arkansas 1, Canada 2, Connecticut 2, District of Columbia 1, England 5, France 3, Germany 5, Indiana 17, Illinois 3, Ireland 4, Kentucky 6, Louisiana 2, Maryland 2, Massachusetts 1, Missouri 1, New Jersey 1, New York 14, North Carolina 7, Ohio 19, Pennsylvania 12, South Carolina 1, Switzerland 1, Tennessee 7, Vermont 2, Virginia 10, total 131.

*Ohio*, 1849.—Arkansas 1, Canada 3, Connecticut 10, Delaware 3, District of Columbia 1, England 9, France 3, Georgia 1, German

18, Indiana 2, Ireland 19, Kentucky 16, Louisiana 5, Maine 1, Maryland 8, Massachusetts 5, New Jersey 5, New Hampshire 4, New York 49, North Carolina 5, Ohio 59, Pennsylvania 56, Rhode Island 1, Scotland 2, South Carolina 1, Tennessee 1, Vermont 9, Virginia 36, Wales 1, Mississippi 1, Isle of Man 1, total 236.

*Illinois*, 1849.—Alabama 1, Canada 4, Connecticut 2, England 3, France 1, Georgia 1, Germany 7, Indiana 1, Illinois 6, Ireland 11, Kentucky 10, Maine 1, Maryland 2, Missouri 3, New Jersey 1, New York 19, North Carolina 4, Ohio 10, Pennsylvania 6, Prussia 1, Scotland 2, South Carolina 1, Tennessee 8, Vermont 6, Virginia 7, total 118.

*Kentucky*, 1849.—Kentucky 44, Virginia 18, Pennsylvania 13, New-York 11, Ireland 10, Ohio 7, Indiana 5, Alabama 5, North Carolina 5, Germany 4, Tennessee 4, Maryland 3, Scotland 2, South Carolina 2, Delaware 1, England 1, France 1, Louisiana 1, District of Columbia 1, New Jersey 1, Vermont 1, Massachusetts 1, total 141.

#### COUNTIES WHERE CONVICTED.

*Maine*, 1848.—Lincoln 8, Washington 4, Franklin 1, Penobscot 9, Cumberland 29, York 5, Oxford 3, Kennebec 4, Waldo 2, Somerset 2, total 67.

*New Hampshire*.—Hillsborough 18, Grafton 17, Rockingham 11, Strafford 15, Coos 1, Merrimack 8, Cheshire 6, Sullivan 3, Belknap 3, total 82.

*Vermont*.—Bennington 1, Windham 4, Rutland 7, Windsor 4, Addison 1, Orange 3, Chittenden 6, Washington 1, Franklin 5, Grand Isle 1, Lamoille 1, total 34. (The number received during the past year.)

*Rhode Island*.—Unaccounted for.

*Connecticut*.—Unaccounted for.

*New-York—Auburn*.—Albany 28, Allegany 5, Broome 3, Cattaraugus 1, Cayuga 23, Chautauque 9, Chemung 8, Chenango 6, Clinton 1, Columbia 1, Cortland 4, Delaware 3, Dutchess 1, Erie 135,

NOTE.—The other States have no nativity given.



Essex 1, Franklin 1, Fulton 2, Genesee 7, Greene 2, Herkimer 6, Jefferson 26, Kings 1, Lewis 2, Livingston 14, Madison 6, Monroe 67, Montgomery 2, New-York 9, Niagara 10, Onondaga 43, Oneida 38, Ontario 19, Orleans 14, Oswego 14, Otsego 9, Queens 2, Rensselaer 16, Saratoga 10, Schoharie 3, Seneca 8, Steuben 10, St. Lawrence 5, Tioga 5, Tompkins 4, Washington 1, Wayne 9, Wyoming 10, Yates 5, total 609.

*Sing Sing*.—New-York 402, Albany 41, Dutchess 30, Queens 18, Washington 6, Rockland 8, Delaware 3, Richmond 4, Oneida 4, Schenectady 2, Montgomery 2, Schoharie 1, Onondaga 2, Ontario 2, Steuben 1, Madison 1, Kings 92, Orange 28, Westchester 19, Columbia 13, Rensselaer 7, Suffolk 6, Ulster 3, St. Lawrence 5, Clinton 2, Jefferson 2, Essex 1, Putnam 1, Greene 1, Fulton 1, Saratoga 1, Franklin 1, Monroe 5, Niagara 3, Chemung 1, Erie 7, Orleans 1, total 727.

*Clinton*.—Albany 10, Clinton 10, Erie 1, Essex 10, Columbia 5, Franklin 2, Fulton 3, Greene 1, Herkimer 2, Jefferson 2, Kings 1, Madison 4, Montgomery 5, New-York 1, Oneida 3, Onondaga 1, Oswego 2, Rensselaer 12, Saratoga 5, Schenectady 12, Schoharie 2, Sullivan 2, St. Lawrence 13, Ulster 4, Warren 1, Washington 10, total 124.

*New-Jersey*.—Atlantic 2, Bergen 6, Burlington 14, Camden 11, Cape May 1, Cumberland 4, Essex 32, Gloucester 2, Hudson 16, Hunterdon 1, Mercer 9, Middlesex 13, Monmouth 12, Morris 11, Passaic 32, Salem 8, Somerset 4, Sussex 5, Warren 1, United States, New-Jersey district, 1, total 185.

*Western Penitentiary, Pennsylvania*.—Alleghany 53, Armstrong 5, Bedford 5, Beaver 3, Butler 5, Clarion 1, Erie 11, Fayette 9, Green 1, Huntingdon 3, Jefferson 1, Mercer 10, Somerset 1, Venango 2, Westmoreland 4, Potter 1, Crawford 2, Indiana 2, Blair 2, Clearfield 1, Warren 1, total 123.

*Maryland*.—Baltimore City 139, Baltimore County 8, Prince George's 9, Anne Arundel 7, Dorchester 7, Washington 5, Talbot 4, H. Dist. A. A. Co. 4, Calvert 5, Frederick 5, Harford 4, Cecil 4, Charles 4, Somerset 7, Kent 8, Montgomery 3, U. S. Ct. of Md. 3,

Alleghany Co. 5, Queen Ann's 5, Caroline 2, St. Mary's 1, Worcester 1, total 230.\*

*Virginia*.—Unaccounted for.

*Tennessee*.—Davidson 32, Fayette 3, Hardin 4, Madison 13, Marion 2, Wilson 2, Grainger 8, Coffee 4, Hamilton 2, Johnson 2, Obion 3, Weakley 2, Gibson 1, Knox 1, Monroe 3, Stewart 3, Humphreys 2, Henderson 4, Carroll 2, McMinn 5, Hardeman 3, Washington 3, Jackson 4, Green 2, Williamson 1, Rhea 1, Henry 2, Warren 1, Giles 1, Shelby 20, Anderson 1, Campbell 2, Marshall 2, Hawkins 2, Wayne 4, White 3, Polk 1, Fentress 1, Overton 6, Haywood 1, Montgomery 1, Maurey 2, Cannon 1, Bedford 4, Sevier 3, Tipton 2, Lawrence 1, Van Buren 1, Lincoln 2, Carter 4, Hickman 1, Franklin 3, Dickson 1, Bledsoe 2, Sumner 1, Jefferson 1, Perry 3, Roane 1, total 192.

*Georgia*.—Unaccounted for.

*Indiana*.—Adams 1, Bartholomew 1, Carroll 2, Clark 1, Crawford 1, Allen 4, Cass 2, Davies 1, Dearborn 5, Delaware 1, Elkhart 3, Floyd 9, Dubois 2, Fountain 1, Fulton 2, Gibson 2, Grant 1, Green 1, Hancock 1, Harrison 2, Jefferson 8, Jennings 1, Knox 4, Kosciusko 1, Laporte 3, Lake 2, Martin 1, Marion 2, Monroe 1, Montgomery 4, Noble 2, Ohio 1, Orange 6, Owen 1, Perry 2, Pike 1, Porter 4, Park 1, Posey 3, Randolph 2, Ripley 1, Scott 2, Rush 1, Spencer 1, St. Joseph 1, Marshall 1, Switzerland 1, Tippecanoe 2, Union 1, Vermillion 1, Vigo 4, Vanderburg 8, Unknown 1, Warwick 1, Wabash 1, Washington 4, Wells 2, Wayne 4, Whitely 1, total 131.

*Ohio*.—Auglaize 1, Ashtabula 4, Athens 2, Belmont 4, Brown 2, Butler 3, Clark 7, Clermont 1, Columbiana 4, Champaign 1, Crawford 1, Cuyahoga 32, Delaware 1, Defiance 3, Erie 4, Fairfield 3, Franklin 5, Gallia 3, Geauga 1, Green 3, Hamilton 123, Harrison 2, Highland 2, Huron 10, Jefferson 4, Knox 1, Lawrence 2, Licking 3, Lake 1, Logan 5, Lorain 2, Lucas 15, Medina 1, Miami 1, Monroe 1, Montgomery 4, Morgan 2, Muskingum 5, Ottawa 1, Mahoning 1, Pickaway 7, Portage 5, Preble 4, Richland 1, Ross 6, Sandusky 4,

\*It will be perceived that the convictions exceed by one the number of prisoners; the discrepancy arises thus: one of the prisoners was convicted under three indictments in Queen Ann's, and under two in Talbot county, for similar offences, and of course, each county is credited with his conviction.

Sciota 4, Seneca 2, Shelby 4, Stark 6, Summit 2, Trumbull 4, Tuscarawas 1, Union 1, Warren 6, Washington 8, Williams 1, total 336.

*Massachusetts.*—Suffolk 90, Middlesex 24, Worcester 3, Bristol 22, Essex 8, Hampshire 2, Berkshire 8, Hampton 13, Franklin 9, Norfolk 5, Barnstable 1, Plymouth 5. Escaped from prison March, 1842, and returned Oct. 1848, and convicted in Suffolk, April 1849, 1. Total 191. (These were the number received during the past year.)

*Maine,* 1849.—Lincoln 9, Washington 4, Penobscot 8, Cumberland 24, York 12, Oxford 2, Kennebec 5, Waldo 1, Somerset 1, Franklin 1. Total 67.

*Illino's,* 1848.—Montgomery 2, Sangamon 4, St. Clair 8, Morgan 2, Madison 8, Adams 1, Gallatin 3, Greene 3, Pope 1, Clay 1, Will 1, Winnebago 3, Ogle 1, Joinson 6, Cook 22, Du Salle 1, Knox 1, McDonough 1, Effingham 2, Edwards 1, Hardin 1, Richland 3, White 2, Kane 3, De Kalb 2, Warren 5, Fayette 1, Carroll 1, Hamilton 1, Lake 1, Monroe 1, Crawford 1, Scott 1, Jo Davies 7, Mc Lane 2, Lawrence 1, Du Page 2, Washington 2, Ogle 2, Shelby 1, Christian 1, Macaupin 1, Calhoun 1, Peoria 1, Macon 1, Pulaski 1, Total 118.

*Michigan.*—Wayne 15, Calhoun 3, St. Joseph 2, Jackson 2, Macomb 1, Oakland 1, Ottawa 1, Branch 1, Berrien 1, Hillsdale 1, Ingham 1, St. Clair 1, Michilimackinac 1. Total 31, (being the number received during the year only.)

*Eastern Penitentiary.*—Philadelphia 44, Lancaster 13, Schuylkill 11, Montgomery 5, Bucks 4, Luzerne 8, Northampton 3, Cumberland 3, Wayne 3, Franklin 5, York 3, Delaware 2, Chester 2, Mifflin 2, Centre 1, Tioga 2, Northumberland 1, Lebanon 2, Carbon 1, Wyoming 1, Columbia 2, Bradford 3, Lycoming 2, Pike 1, United States 2, Monroe 1, Lehigh 1. Total 128, (being the number received during the year only.)

*Kentucky.*—Allen 1, Ballard 3, Bullitt 1, Bourbon 1, Breckenridge 2, Butler 1, Barren 1, Campbell 3, Carroll 1, Clarke 1, Callo-way 1, Caldwell 1, Casey 1, Clinton 1, Fayette 4, Fulton 2, Fleming 2, Green 5, Graves 2, Grayson 1, Grant 2, Greenup 1, Hardin 3, Jefferson 58, Kenton 11, Logan 2, Livingston 1, Lincoln 2, Mason 2,

Madison 1, Marion 2, McCracken 1, Monroe 1, Nelson 1, Oldham 2, Ohio 1, Owen 1, Perry 2, Pulaski 2, Russell 2, Simpson 2, Scott 1, Taylor 1, Union 1, Wayne 1, Washington 1, United States Court 1. Total 141.

#### MENTAL CULTURE.

*Auburn.*—Were unable to read, 126; could read but very indifferently, 87; could read and write, and had some acquaintance with arithmetic, 360; had a good English education, 30; had a classical education, 6; have learned to read in prison, 118.

*Clinton.*—Cannot read, 32; read only, 29; read and write, 15; common education, 46; classical education, 2.

*Tennessee.*—Can read and write, 107; can read but not write, 47; uneducated, 38.

*Indiana.*—Who have no education, 23; can read only, 22; can read and write, 80; have a good English education, 4; have a classical education, 2.

*Kentucky.*—Who are entirely destitute of education, 39; can only spell and read, 51; who can read and write and cypher, 34; who have received a general English education, 16; who have a classical education, 1. Total 141.

#### MORAL AND RELIGIOUS CULTURE.

*Auburn.*—Had religious instruction in early life, 221; had learned the decalogue, 228; had learned some church catechism, 165; attended sabbath school, 112; had little or no religious instruction, 388; refrained from labor, generally attending church on the sabbath day, 105; were in the habit of reading the bible before imprisonment, 566; seldom attended church before imprisonment, 504; are in the habit of reading the bible now, 401; were church members before imprisonment, 66; indulge in a hope that they are christians now, most of whom think they were converted in prison, 62.

#### HABITS.

*Auburn.*—Moderate drinkers, 238; intemperate drinkers, 338; total abstinence, 33; use tobacco, 472; were in the habit of reading novels before imprisonment, 201; have read them here, 137; were in the habit of gambling, 161; were licentious, 431; were in the

habit of using profane language, 501; had a trade, 193; had no trade, 416; were occupied when apprehended, 324; were unoccupied, 285.

*Clinton*.—Temperate, 56; intemperate, 68; employed, 70; not employed, 54.

*Tennessee*.—Temperate before conviction, 20; moderate drinkers, 74; intemperate, 98.

*Indiana*.—Intemperate, 61; moderate drinkers, 45; temperate, 25.

#### SOCIAL STATE.

*Auburn*.—Married, 284; widowers, 23; have separated from wife, 68; those who have families have, in the aggregate, 755 children.

*Clinton*.—Married, 51; unmarried, 73.

*Kentucky*.—Single, 73; married, 50; widowers, 13; separated, 5. Total 141.

*Tennessee*.—Married 116, single 76.

*Indiana*.—Married 61, single 65, widowers 5

#### MISCELLANEOUS.

*Auburn*.—Had parents who were both church members, 56; had one parent a church member, 30; lost both parents before the age of sixteen, 86; lost one parent before the age of sixteen, 128; deprived of home before the age of sixteen, 317; left parents or guardians without consent, 94; \*parents were universalists, 29; were roman catholics 82; were quakers, 4; were freewill baptists, 9; parents usually attended episcopal church, 53; parents usually attended presbyterian church, 83; parents usually attended the baptist church, 84; parents usually attended the methodist church 160; parents of whom no account is given on these topics, 129; confess their guilt, 368; deny their guilt, 241; are now in good health, 524, think they have been benefited by the privileges here enjoyed, 295.

\* These items are not given as showing the bearing of different systems of religious creeds upon the commission of crime, as the great majority of parents here specified, were not church communicants, nor even regular attendants upon the religious services of the church "they usually attended" when they went at all; it is manifest that these items can have no bearing upon the relative merits of different systems of faith.

*Clinton*.—In a good state of health, 88; in a poor state of health, 28; scrofulous, 8.

*Western Penitentiary, Pa.*—Married 90, unmarried 32, widowers and widows 1, temperate 15, moderate 11, intemperate 97—69 can read, 49 can read and write, and 5 can neither read nor write.

*Maryland*.—Of all the prisoners admitted since Dec. 4, 1840, when the record commences, it appears that 252 could not read or write; 92 could read only; 67 received a good English education; 251 can read and write; 6 received classical education, and 252 attended sunday schools.

Of all the prisoners admitted since Dec. 4, 1840, 260 were left orphans at various ages from infancy upwards; 269 were never bound out; 62 were bound out and left their masters; 133 were bound out and served till 21 years of age; 362 unmarried; 175 married; 64 widows and widowers; 97 were not drunkards, but drunk when committing the offence of which they were found guilty; 160 intemperate, and 371 who reported themselves of *sobber* habits.

*Illinois*, 1848.—“At least three-fourths of the convicts could read and write before their commitment and quite a number have liberal educations. Many of those that did not know their letters before, have learned to read since their commitment.”

*Eastern Penitentiary*.—*Habits*—Drank to intoxication, 68; moderate drinkers, 22; sober, 38; total 128. *Color*.—White males, 101; white females, 2; colored males, 23; colored females, 2; total 128. Read and write, 80; read only, 22; could not read or write, 26; total 128. Married, 44; single, 72, widows and widowers, 9; separated, 3; total 128, (all these facts are for the number received during the year only.)

*Kentucky*.—Habitually intemperate, 34; occasionally intemperate, 55; temperate, 52; total 141.

#### PRISON DISCIPLINE.—(CONTINUED.)

The by-laws of the executive committee impose upon the prison discipline department the supervision of the internal organization and management of the prisons in which convicts are confined, embracing the moral and physical influences to be exerted on the prisoners during their confinement.

The following general heads comprise this duty, viz: 1. Health; 2. Reformation; 3. Financial system; 4. Administration and supervision; 5. Comparison of prison systems and reforms; 6. Visitation.

1. HEALTH—*under which as subdivisions may be included Diet, Clothing, Cleanliness, Warming, Ventilation, Employments, Insanity and medical treatment generally and results.*

Instead of attempting to present remarks of our own on these several subjects, we have preferred to select from the reports of all the prisons which have been sent us, such observations as may seem pertinent to the different subjects examined. We shall thus concentrate the opinions of practical men who have had large experience in these matters, and allow them to speak for themselves. We shall also in this manner exhaust their reports of whatever is interesting or important either to the penologist or general reader, and afford the advantage to each of a continuous examination of a particular subject instead of a tedious investigation running over twenty different reports.

Subdivision 1st, DIET; comprising manner of supply, quality, cost and expense.

The rations have been supplied at Auburn and Clinton prisons, the last two years, by purchase by the agent.—*New-York Inspectors' Report.*

The keeper of the Tennessee State prison states that great care has been taken in having their food properly prepared, which has been of wholesome diet, consisting of beef, occasionally bacon,—coffee in the morning and vegetables in their season.

The warden of the Indiana State prison gives the following account of the diet of that prison: The food of the prisoners has been generally amply sufficient of the kind. Meat sufficient twice during the day, and usually of suitable quality. Rye coffee for breakfast, sufficient corn bread three times a day, of good quality, and milk frequently through the spring and summer. Vegetables deficient in variety, generally beans and bean soup about three times a week.

*New-York Sing Sing S. P., 1849—Warden's Report.*—Little or no change of diet was made during the summer. We gave our men the best salt mess pork and beef with potatoes and brown bread,

occasionally changing to pork and beans or codfish and potatoes; no fresh meats were allowed.

*Sing Sing S. P., 1849—Physician's Report.*—The system adopted by your board to supply the rations through the prison agent, has already produced the happiest results. The general health of the convicts has certainly been promoted. They perform their labor cheerfully and accomplish more, and the prison officers are relieved from those frequent and too well grounded complaints of "bad food," which invariably attend the feeding upon the contract system. These considerations alone, I am persuaded, would secure a continuance of the system; but in addition to these, I am satisfied that it will be found the most economical for the State.

The completion of the new mess-room, hospital, &c., and the introduction of the table system of feeding, will add much to the comfort and health of the convicts.

*New-York S. P. Inspectors' Report, 1849.*—The cost of supplying provisions for the last year has been, at Auburn prison, 7 6-10 cents per ration, or \$7.60 per 100 rations; at Clinton, 9 cents 6 1-12 mills per ration, or about \$9.61 per 100 rations; at Sing Sing, during nine months, from Jan. 1, to Sept. 30, supplied by the agent, 7 cents 7 $\frac{1}{2}$  mills per ration, or \$7.72 $\frac{1}{2}$  per 100 rations.

The Inspectors are decidedly of opinion that for various considerations this is the most judicious method of supplying the diet of the prisons. The cupidity of contractors, or the fear of unprofitable results, furnish constant temptations to supply articles of an inferior, and sometimes deleterious quality; and in this way the health of the convicts, under that method of supply, has undoubtedly been sometimes injuriously affected. When purchased by the agent, there is no inducement for the procurement of inferior articles; the provisions are consequently of good quality, the health of the prison promoted, a fruitful cause of dissatisfaction obviated, and a favorable influence upon the discipline exerted. And although contracts might sometimes be made at a trifle less per hundred rations than the actual cost when purchased by the agent, it is believed that when all the attendants and consequences are taken into the account, this will be found the most economical method. Especially will this be found to be true when the amount of the extra allowances obtained by applications to the Legislature in cases where contracts prove disastrous or unprofitable, come to be considered.

The cost of supplying rations to the Sing Sing prison, from Oct. 1, 1847, to Sept. 30, 1848, wholly by contract, was \$30,336.90. The cost from October 1, 1848, to Sept. 30, 1849, about nine and a half months of which by the agent, and the remainder by contract, was \$23,856.59. Difference in favor of supplying by the agent \$6,480.31. And it is worthy of remark, that during the last year, the cost by the agent has been much less per month, than that of the two and a half months furnished by contract.

*N. Y. Auburn S. P., 1849—Warden's Report.*—It is also extremely gratifying, that the clothing and rations of the convicts—supplied by the agent—have always been of the best quality; the food, which it is quite important should be good, has always been furnished in sufficient quantities. No complaints have been made on this head, which are often apt to occur, where there is really no foundation for them.

*Rhode Island S. P., 1849—Keeper's Report.*—In 1848 it cost \$68.67 for each prisoner over and above the income, this year it costs but \$59.84 each.

*Maine S. P., 1849—Warden's Report.*—The food of prisoners should be good and wholesome, but of plain quality without luxuries.

*Michigan S. P., 1849—Inspectors' Report.*—From frequent examinations made by this board, we are satisfied that the rations furnished the past year were composed of articles of provision, as well proportioned to conduce to the health of the convicts as can well be obtained. The contract has therefore been let to furnish rations for the ensuing year, commencing on the first day of December, in the same proportions, for six cents and six mills per daily ration.

Superadded to all this, much care has been observed in relation to the diet of the men, and whenever it was found that a particular article of food furnished with the rations, proved injurious, it was immediately changed for something calculated to restore the system to a healthy and vigorous state.

## 2. CLOTHING.

*Maine S. P.—Inspectors' Report, 1849.*—Their clothing and bedding should be such as to prevent any suffering from cold, and their general health carefully regarded.

1849, *Indiana S. P.—Warden's Report.*—The recommendations of my predecessor to the extent of such legislative construction of the law as to equalize the payment to pardoned, and other discharged convicts, and to furnish some plain and cheap clothing, to the discharged convict, are respectfully repeated by the undersigned.

*Illinois S. P., 1849—Warden's Report.*—No deficiency in suitable clothing, and are well provided with bed clothing sufficient to render them comfortable during the inclement season of the year. The prisoners sometimes complain, but as soon as it is mentioned, the deficiency is supplied.

## 3. CLEANLINESS.

*Massachusetts S. P., 1849—Warden's Report.*—I have, during the year, enlarged the bathing house, and furnished it with tubs and boilers, so as to afford the means of bathing every convict once a week, according to the provision of a late act of the Legislature.

*Indiana S. P., 1849—Warden's Report.*—The labor of the convicts exposes them to dust and soot at the forges and furnaces, dirt and brick dust at the brick kilns, and mud in unloading rafts and boats, besides the effect of heavy perspirations. Complete bathing or washing, at least once a week, can alone keep their persons sufficiently clean to prevent disease and vermin. The expense of some cheap and plain apparatus for bathing, would soon be returned, by increased health, comfort and cheerfulness. At present, the suitable washing of the convicts is had with difficulty, and inconvenience, if at all.

## 4. LIGHTING AND HEATING.

*Auburn S. P., 1849—Chaplain's Report—Importance of lighting the wings.*—I would again solicit the attention of your honorable board to the very imperfect manner in which the wings, where the convicts are confined at night, are lighted. There seems to be no sufficient reason for confining 600 or 700 men in almost total darkness, and consequently in illness, for so great a portion of the time as at present. It is difficult to see what good can be accomplished by it, while it is quite easy to perceive that much evil must be consequent upon this unenlightened policy.

Were this the proper place to enter into a full discussion of the subject, it would be easy to demonstrate that the effect of so much

confinement in darkness is detrimental alike to the physical, mental, and moral interests of the convict, and consequently opposed to the best interests of the State and society generally. It induces mental indolence, weakens the intellectual faculties, stultifies the mind, blunts the moral sensibilities, excites evil passions, and exposes the unfortunate subjects of it to all the evil effects of a licentious imagination upon the animal passions—greatly augmenting their power and blighting influence over the soul. In short, the direct effect of the mental and moral habits, which necessarily result from this protracted confinement in idleness, is to debase and brutify the whole man, and prepare him to return to his friends and society not better qualified than when he left them to discharge the duties of life.

It has been very gratifying to know that each man whose good fortune it has been to receive a "light," has not wholly undervalued the privilege, but by his application to study, and many expressions of gratitude, has shown clearly his high appreciation of the favor.

*Sing Sing S. P., 1849—Chaplain's Report.*—The suggestion in the teachers' report, in regard to the insufficiency of light, is respectfully submitted to the consideration of the board.

*Maryland S. P., 1849—Inspectors' Report.*—We took occasion last year, to suggest the propriety of increasing the lights in the dormitory, so as to enable the prisoners to read from twilight till bed-time; and we again call the attention of Your Excellency to it, from a firm belief that such an occupation of the time of the prisoners, could not fail to be productive of much good; for as their minds became enlightened, so would their taste for vice be weakened, as ignorance is often the most mischievous element of crime.

*Ohio S. P., 1849—Directors' Report.*—The debt against this institution, which was incurred some fifteen months since, in constructing the gas works, to enable the convicts to read in their cells by night, is not yet discharged; and we regret to be compelled to say, that although it was costly in its fixtures, it has not in all respects met the expectations and desire of the directors. The principal element used for the generation of gas, upon the plan adopted, is grease; and it was supposed that a sufficient amount of grease could be collected about the prison to supply the works; but in this we have been mistaken, the consumption of this article being much greater than it was supposed it would be, and consequently the expense greater to supply it; and we are not certain but from this fact it will be

advisable yet to dispense with grease, and change the apparatus so as to use coal in its stead. If this change should be concluded on, it will require an additional expense of several hundred dollars.

The works were put in operation about one year since, and it affords a brilliant light in the halls, and enables the prisoners to read in their cells by night after they are locked up.

*New-Jersey S. P., 1849—Keeper's Report.*—The legislature, at their last session, directed the keeper to cause a new apparatus to be erected for heating the north wing of the prison with steam, appropriating \$5,000 for that purpose. This duty has been discharged by me, under advice of the acting inspectors. The apparatus has been erected within the limit of the appropriation, and I am happy to say, answers all that the most sanguine expected from it. It is so effective that almost any degree of heat may be obtained. I doubt if any building in the state is warmed more perfectly.

*Maryland S. P., 1849—Keeper's Report.*—A change has taken place, with the approbation of the board, in the means of heating the dormitory, large cylinder stoves having been substituted for the furnaces by which it was formerly warmed. So far as the experiment has gone, I am inclined to believe that the present mode will be attended with a saving of fuel, and a more perfect equalization of heat.

## 5. VENTILATION.

*Vermont S. P., 1849—Superintendent's Report.*—The want of ventilation in the brick prison, and more convenient hospital accommodations, have been referred to in the reports of the directors in years past, but remain now, as they then were, very deficient, and much short of what the honor and interest of the State and calls of humanity demand.

*Auburn S. P., 1849—Physician's Report.*—The hospital, in most particulars well adapted to the accommodation of the sick, is nevertheless susceptible of very considerable improvement. The room is much too low for good ventilation, and from its propinquity to the main cook-room of the prison, requires more care than would otherwise be necessary.

*Maryland S. P., 1849—Chaplain's Report.*—During the past year the partitions that formerly existed have been removed, to the

*Heating*

great advantage and comfort of the patients; but the water closet which is built in a corner of the room, owing to the fact of there being but a small tube to carry off the effluvia arising from it, renders at times the air of the hospital exceedingly offensive, and this is particularly the case during the winter, and early in the morning before the room is aired. Wherever a number of individuals are confined in the same apartment, this evil to a certain degree exists, and becomes aggravated when from sickness, free ventilation cannot be had, and the effluvia from unhealthy discharges, is added to what already exists.

*Georgia S. P.*, 1849.—*Physician's Report*.—I have made every effort to cause to be removed every cause of ill health which is obvious, and think that a great deal of benefit has resulted. But a free ventilation of the lower story of the cell building and the guard houses on the outside of the wall, cannot be effected unless the wall is opened and secured with grates in several places.

*Ohio S. P.*, 1849.—*Physician's Report*.—I caused twelve new ventilators to be put in the east wing, and six in the west wing, the better to secure purity of air. Nearly every convict was more or less severely affected with the disease. A cholera influence was prevailing all around us, and the system was predisposed to the disease, inasmuch that slight causes were probably sufficient to invite its attacks.

## 6. EMPLOYMENTS.

*Vermont S. P.*—*Inspector's Report*, 1849.—The Directors concluded a bargain with the manufacturers of scythe snaths and cutlery, for the labor of all the convicts in said prison, for the term of five years, excepting such number as the Superintendent may require to perform the necessary work of the prison, at the price of two shillings per day for all the convicts which shall be able to perform a fair day's work, and in the same ratio for the convicts which shall be unable to perform a fair day's work.

*New-York Inspectors' Report*, 1849.—The average time per day, of actual labor, at each of the prisons, will be exhibited by the following statements:

Average working time at Sing Sing for the year, was daily eight hours and  $47\frac{1}{2}$  minutes; at Auburn, average working time per day for the year, 10 hours and 17 minutes; and at Clinton, per day for half of the year, 9 hours and 45 minutes.

*Sing Sing S. P.*, 1849.—*Warden's Report*.—From a careful examination of its avails and results, I am satisfied that the employment of the convicts at this prison, in the quarries and cutting stone, is unprofitable. When all the expenses of quarrying the stone, of tools, teams, carts and feed are taken into the account, it yields but little revenue to the State. If discontinued, it would dispose of the occasion of complaint on the part of a very respectable class of mechanics, who seem to suppose that their business is interfered with by convict labor.

*Matron's Report*, 1849.—From the experience I have already had, I cannot approve of button making as a branch of female employment. It is far more masculine and laborious than the avocations females generally engage in, while it has a tendency to unfit them for other and more appropriate duties. But few if any will ever pursue it after the expiration of their sentences, and it certainly is not calculated to improve their minds or morals, or to aid in reclaiming them from future errors.

Those employed in binding hats earn about 25 cents per day. This business is suitable for females, being congenial with their tastes and usual habits.

*Indiana S. P.*, 1849.—*Warden's Report*.—The convicts have not apparently been over-worked. In the various employments of many convicts without the walls, it has been impossible for the undersigned to supervise the treatment of the convicts at their labor. He can only speak of their appearance on returning to the prison, or when accidentally seen at their work. Several instances of intoxication have occurred among the convicts employed without the walls, especially with those entrusted as trustees, or set at separate labor without the supervision of a guard. This has caused the infliction of punishment and endangered the discipline within the walls.

I am restricted not to reduce the period of labor of the convicts below ten hours per day.

## OCCUPATION PREVIOUS TO CONVICTION. *different prison*

*N. Y., Auburn*, 1849.—Architects 1, bakers 4, barbers 10, brewer 1, blacksmiths 12, boatmen 37, butchers 6, cabinet-makers 12, carpenters 29, clerks 8, cooks 4, coopers 14, engineers 3, farmers 159, farriers 1, gardeners 3, gold pencil makers 1, grocers 7, gunsmith 1, hatter 1, laborers 133, lawyers 2, machinists 13, masons 4, mer-

chants 6, millers 3, moulders 3, miscellaneous 8, painters 5, pedlers 12, physician 1, platers 3, portrait painter 1, printers 4, saddlers 2, sailors 41, shoemakers 31, stone-cutters 5, tailors 11, tanners 2, teachers 2, watch-makers 1—total 609.

*N. Y., Sing Sing, 1849—Male and Female Prisons.*—Bakers 11, butchers 15, dress-makers 5, engineers 5, farmers 18, house workers 22, laborers 211, masons and stone-cutters 32, mechanics 192, merchants and clerks 23, milliner 1, miscellaneous 61, no occupation 15, painters and printers 15, pedlers 1, prostitution 8, sailors and boatmen 4, servants and waiters 45, teachers 1, unaccounted for 42—total 727.

*N. Y., Clinton, 1849.*—Bakers 2, barbers 2, blacksmiths 7, bloomers 1, boatmen 3, butchers 3, button-makers 1, carpenters and joiners 2, cigar makers 1, clerks 1, cook and waiter 1, collier 1, cooper 1, farmers 9, farm laborers 5, furrier 1, idlers 2, laborers 54, mason 1, miller 1, moulder 1, musician 1, ostler 1, painter 1, printer 1, saddler 1, sailors 2, ship carpenter 1, shoemakers 12, tailor 1, tanner 1, upholsterer 1, weaver 1—total 124.

*New-Jersey, 1849.*—Artist 1, barbers 2, basket-maker 1, brick-maker 1, blacksmiths 2, butcher 1, cabinet-makers 3, carpenters 6, carver and gilder 1, chair-maker 1, cook 1, harness-maker 1, iron worker 1, machinists 4, mason 1, match-maker 1, no occupation 61, printer 1, school teacher 1, shoemakers 7, sweeps 3, tobacconist 1, turner 1, weavers 3, wheelwrights 2—total 108. (No. recd. only.)

*Pennsylvania, Western Penitentiary, 1849.*—Bakers 1, barbers 3, brick-makers 2, blacksmiths 7, boatmen 14, butchers 3, cap-makers 1, carpenters 2, clerks 1, coach ironer 1, cooks 7, commission merchant 1, coopers 2, cotton operator 1, drayman 1, farmers 4, fisherman 1, forgerman 1, grocer 1, grog shop keeper 1, gunsmith 1, house servants 4, iron rollers 1, laborers 28, leather dresser 1, lumberman 1, machinist 1, moulder 1, painter 1, paper printer 1, pedlers 2, printer 1, raftman 1, rope maker 1, shoemakers 6, silversmith 1, stone-cutters 2, tailors 5, tanner 1, teacher 1, waggoners 4, wagon-maker 1, weavers 1, coal-miner 1—total 123.

*Pennsylvania, Eastern Penitentiary, 1849.*—Brick-makers 5, blacksmiths 3, boatmen 3, butchers 2, cabinet-makers 2, carpenters 10,

carter 1, chairmaker 1, clerk 1, farmers 9, dyers 2, confectioner 1, attorney at law 1, coachman 1, forgerman 1, harness-maker 1, hatter 1, laborers 37, masons and stone cutters 3, moulder 1, no occupation 3, ostlers 2, painters 2, plasterer 1, printer 1, puddler 1, rope-maker 1, sailors 4, servants 5, ship carpenter 1, shoemakers 7, student at law 1, tailor 1, tanner 1, tinner 1, trunk-maker 1, turner 1, weavers 5, coal-miner 1, pump makers 2—total 128.

*Maryland, 1849.*—Bakers 5, baker and butcher 1, barber 1, barkeeper 1, basket-maker 1, bricklayers 4, blacksmiths 5, boatmen 4, butchers 3, calico printer 1, carriage-maker 1, carpenters 11, carters 4, chambermaids 3, clerks 5, cook 1, coopers 4, draymen 2, dancing master 1, drovers 2, equestrian 1, farmers 7, farm apprentice 1, farm laborers 30, florist 1, furniture polisher 1, hod carriers 4, hotel keepers 3, house keeper 1, house workers 18, iron puddler 1, laborers 33, machinists 3, merchants 2, musician 1, no occupation 12, painter 1, paper hanger and stainer 1, paper maker 1, plasterer 1, rope maker 1, sailors 8, seamstress 1, shoemakers 5, soapmaker 1, steamboat firemen 2, stevedore 1, tailors 2, tanner and currier 1, tinner 1, tobacconists and cigar makers 2, umbrella maker 1, wagoner 1, waiters 10, washer 1, weavers 6, wool carder 1, carpenter and farmer 1—total 229.

*Ohio, 1849.*—Blacksmiths 17, butchers 8, barbers 5, baker 1, boatmen 14, broom maker 1, brick makers 2, barkeepers 63, cooks 12, coopers 13, carpenters 11, clerks 5, cigar makers 2, cabinet makers, 2, chair maker 1, cabin boys 3, chambermaids 2, drayman 1, dentist 1, distiller 1, druggist 1, engineers 2, farmers 5, gunsmith 1, hatters 3, housekeeper 1, hame maker 1, joiner 1, laborers 19, livery stable keeper 1, locksmith 1, mail carriers 2, merchants 2, machinists 2, miller 1, moulders 8, no occupation 5, plasterers 3, printers 2, pedler 1, platers 2, painters 4, porter 1, pailmaker 1, physicians 2, stage agent 1, soldiers 4, shoemakers 19, seamen 11, stewards on steamboats 2, spinners 3, ship carpenters 4, stage drivers 3, salesman 1, silversmith 1, stone masons 6, seamstresses 4, servant 1, school teachers 2, saddlers 2, tanners 5, teamster 1, tinner 4, tailors 9, tradesman 1, weavers 9, wagon makers 5—total 336.

NOTE.—The other States have no occupation given.



## OCCUPATION WHILE IN PRISON.

*Maine*, 1848.—Cooks 2, Hospital 3, Quarrymen 6, shoemakers 31, smith's shop 6, solitary confinement 3, tailors 3, waiters 1, washers 2, wheelwrights 10—total 67.

*Maine*, 1849.—Cooks 2, hospital 1, lumpers 5, tailors 5, shoemakers 30, smith's shop 7, solitary 2, waiters 2, washers 2, wheelwrights 11—total 67.

*New Hampshire*, 1849.—Cabinet makers 21, cooks 2, engineers 1, farmers 3, waiters 5, old and infirm 3, sewing 2, shoemakers 31, smith's shop 12, tailor 1, washer 1—total 82.

*Vermont*, 1849.—Cooks 2, insane 1, jobber 1, shoemaker 1, snathe manufactory 53, tailor 1, washer 1, waiters 2—total 62.

*Massachusetts*, 1849.—Bakers 2, barbers 2, brushmakers 23, carvers 12, cabinet makers 82, carpenters 3, confinement 4, cooks 10, coopers 1, hospital 7, nurses 2, printers 3, invalids 4, shoemakers 7, smith shop 24, stone cutters 100, tin workers 17, tailors 11, teamsters 7, tool shop 4, waiters 6, washers 18—total 349.

*Connecticut*, 1849.—Binding boots 4, chair making 33, chair seating 33, cutlery 29, waiters 5, nurse 1, insane 3, invalids 2, rule manufactory 14, shoemakers 20, washing and cooking 12, making and repairing for convicts 1—total 157.

*N. Y., Auburn*, 1849.—Barbers 2, cabinet shop 44, carpet shop 263, cooper shop 28, kitchens 16, waiters 30, hame shop 47, hospital 3, infirm, &c. 15, machine shop 41, shoemakers 57, soap house 2, ostler 1, tailors, weavers and winders 19, tool shop 41—total 609.

*N. Y., Sing Sing Male and Female Prisons*, 1849.—Bakers 4, binding hats 24, barbers 4, blasters 1, button making 25, carpenters, plasterers and laborers 30, carpet and rug weaving 116, cooks 2, coopers 8, engineer 1, filemaking 100, hatting 61, hospital 4, lime-burners 23, making roads, &c. 28, making and mending for convicts 15, nurses, &c., 6, ostler 1, quarrymen 20, railroad laborers 25, saddlery hardware 54, shoemakers 11, sick 15, smith shop 6, stone cutters 40, stone sawmill 1, tailors 11, teamsters 6, turners 1, washers 4, waiters, &c. 65, weaving, winding, &c. 25—total 727.

*N. Y., Clinton*, 1849.—Barber 1, blasting and raising ore 35, carpenters 3, cooks 7, confined 1, engineers 3, engine-tender 1, furnace 1, hospital 1, invalid 3, machine shop 4, nurse 1, shoemakers 5, sick 1, sawmill 2, sawing and carrying wood 4, separating ore 10, smith shop 8, piling wood at separator 10, tailors 4, teamster 1, tending ore cans 2, waiters 12, washers 2, white washing 2—total 124.

*Tennessee*, 1849.—Cabinet shop 10, carding room 3, cooks 3, coopers 11, engineer 1, harness makers 2, nurse 1, mattress makers 2, painting 2, quarrymen 30, riving staves 1, saving stones 39, sewing 3, shoemakers 5, smith shop 15, stone cutting 47, tailors 3, turners 2, wagon makers 4, waiters 6, washers 2—total 192.

*Michigan*, 1848.—Barber 1, cooks 3, hospital 1, infirm 2, solitary 2, shoemakers 16, tailors 2, teamsters 2, wagon makers 24, waiter 1, tool manufactory 44, washers 2, employed on prison buildings 10—total 110.

NOTE.—The other States have no occupation given.

## 7. INSANITY.

*Maine S. P.*, 1849.—*Inspector's Report*.—During the last year two prisoners have been removed to the insane hospital. One of the prisoners was insane when he was admitted, the other sentenced for two years, began to show symptoms of insanity in about three months.

*Massachusetts S. P.*, 1849.—*Physician's Report*.—In connection with this subject, I cannot but call attention to the effects upon health, likely to be produced by the change of the law abolishing whipping as a means of discipline. The alternative punishment provided by the law, and adopted in practice, is solitary confinement upon a bread and water diet, until the refractory convict shall acknowledge his error, or be sufficiently penitent.

The subject of insanity, as connected with this mode of punishment, merits a consideration. No one, I think, will undertake to say how far this system can be pursued safely, without detriment to the mental powers of the prisoner. That the moral effects of the lash as heretofore used, may not be so satisfactory as the proposed substitute, I will not undertake to question; but that an important change in point of physical health, and for the worse, will be likely to be produced, I cannot doubt.

Looking to the general question of insanity in the prison, I am happy to say, that no new case has occurred the past year, and that I am not aware of any perceptible aggravation of a tendency to insanity in the instance of any, unless it may be in the instance of Peter York, who has been thought to require solitary confinement for the safety of the lives of others.

*Vermont S. P., 1849.—Physician's Report.*—The case of Lambert ought, in my opinion, again to come before the Legislature, and some measures be taken to relieve this establishment from the charge of a confirmed lunatic.

*Sing-Sing, New-York S. P., 1849.—Warden's Report.*—There are ten convicts, more or less mentally deranged in this prison. Of this number, three at least are proper cases for the treatment of a lunatic asylum. One of the ten is incurable. The remaining six are not fit subjects of State Prison discipline. The number transferred to the State Lunatic Asylum at Utica during the year just closed, is two, one of whom died in that institution.

*Pennsylvania, Eastern Penitentiary, 1849.*—For insanity in this prison see physician's report under the article health.

*Pennsylvania, Western Penitentiary, 1849.—Physician's Report.*—No new case of insanity has developed itself during the year.

*New-York, Clinton S. P., 1849.—Physician's Report.*—There was one person removed to the lunatic asylum. He had been here but a short time, when symptoms of insanity made their appearance, and after the subsidence of the more acutely inflammatory character of the disease, he was removed. He was probably (as well as I can ascertain his history,) insane before he came here.

*Maryland S. P., 1849.—Physician's Report.*—The number of insane and idiotic at present in the institution is eight. Of these three are idiotic, and five insane. Two, as far as I can learn, gave evidences of weakness of intellect at the time of admission. The five insane are three white; and two colored. None of these men are maniacs, and both insane and idiotic are good workmen, and easily managed. As far as I can learn, one gave no evidences of derangement of intellect at the time of admission, but has become insane in consequence of vicious habits contracted in the institution. Two have hallucinations in reference to their confinement, and one imagines himself to have been placed in the prison by his friends

for his own personal safety. Of these eight, three have entered during the present year.

*Inspector's Report, 1849.*—On the 20th of November, 1848, there were 12 insane and idiotic prisoners confined in the Penitentiary; through the expiration of their terms of servitude of some of these unfortunate beings, and their consequent discharge, there are now remaining but eight; one of whom was admitted during the year which has just closed, he being at the time of his admission evidently of iñfirm mind. It is here due to candor to state, that several others of the insane and idiotic were so prior to their imprisonment; others of them have become so since, owing to indulgence in a degrading vice peculiar to all prisons. Two of those who were discharged during the past year, were for a considerable portion of the time of their imprisonment, so violently afflicted with insanity, as to render it unsafe to admit them among the other prisoners, and had to be confined in cells frequently in manacles. Every attention that could be, was paid to their comfort, and every possible means taken by our skilful physicians, to effect their restoration to reason, during their continuance in our institution; but it would be futile to attempt to conceal the fact, that from the very nature of a state prison, recoveries in such a place is rarely if ever to be expected; and hence it is, that ample provision should be made for their reception in an insane hospital. These facts are of a character to need no argument to demonstrate the necessity which exists for providing suitable and more ample accommodations for the reception of such offenders as may be similarly afflicted.

*New-Jersey S. P., 1849.—Warden's Report.*—Only one insane prisoner now remains in the institution, whose time has expired.

*Connecticut S. P., 1849.—Warden's Report.*—It is not uncommon that incipient insanity is developed among the prisoners, and the opportunities afforded in the prison for their treatment and recovery, are very limited—while there may be cases in which other advantages would be of no service, there are those who might receive great benefit, and be restored to mental health if they could enjoy them.

#### RESULTS OF MEDICAL TREATMENT, &c.

*Maine S. P.—Warden's Report, 1848.*—No report from the physician given. The health of the prisoners has been remarkably good during the last year; no death has occurred, nor have any been

long confined in the hospital. The whole time spent in the hospital is three hundred and fifty-nine days, being four hundred and ninety-three days less than the previous year. The judicious division of time for labor and rest, the perfect cleanliness and thorough ventilation of the cells, the personal cleanliness of the convicts, good and comfortable clothing, sufficient quantity of wholesome food, render but little medical assistance necessary. It appears by the physician's records, that only two cases of fever have occurred during the year, and those of a very mild form.

*Maine S. P.—Inspector's Report, 1849.*—The physician has not furnished a report, but by examining his book of entry the inspectors are satisfied that the health of the prisoners has been well looked after. There has been no death during the past year, nor has there been any protracted case of sickness.

*New Hampshire S. P.—Physician's Report, 1849.*—A good state of health has generally prevailed; there has been but one case of typhoid fever, and that of a mild character. During the warm part of the season of 1848, *bilious diarrhoea*, and other kindred diseases, proved troublesome, but in most cases were of a character so mild as to detain the patient from his labor for a short time only.

During the latter part of winter and early in the spring, the epidemic influenza was quite rife.

There are several cases of chronic diseases now existing, contracted before entering the prison, many of which are assuming a milder character, and probably some will eventually recover a tolerable degree of health. There is one case of a chronic affection of the lungs, which has existed for twelve to fifteen years, and for ten or twelve before entering the prison, and which during last autumn confined the prisoner for several weeks, that will, in all probability, eventually, terminate fatally; but he has, during the winter and spring, been able to perform a small amount of *light work*.

During the year there has occurred one death by consumption, J W., aged 57, having been in the prison a little more than fourteen months. He entered affected with a severe cough, which had existed for a long time, and from which he never recovered.

*Vermont S. P.—Physician's Report, 1849.*—*SM:*—Since my report of last year we have again been visited by typhoid fever with

the loss of four convicts. I cannot but think that fever is more severe within the prison than without. This would seem to be proved from the fact that out of thirty-two cases in the village, only two deaths occurred, while four convicts were lost from sixteen cases of fever in the prison. Perhaps, this argument will have some weight with the Legislature, and induce them to improve our present hospital, which is certainly very defective for the treatment of fever.

*Massachusetts S. P.—Physician's Report, 1849.*—The health of the convicts the past year, though somewhat below the average of late years, has for the greater portion of the year been good.

Notwithstanding the prevalence of the cholera in the vicinity, and its actual appearance within the prison walls, there have occurred in all, but three deaths.

Patrick Kelly, born in Ireland, aged twenty-two years, died July 12th, of typhus fever. He had been in prison twenty months, under a sentence of two years for larceny.

Simon Richards, colored, aged forty-three years, died August 9th, of consumption. He was so sick at the time of his commitment, about a year since, that he was never put to labor, but remained a constant inmate of the hospital till his death. Orin De Wolf, a native of Vermont, aged 33 years, died August 19th, of cholera. He had been in prison four years. He was originally sentenced to death for the crime of murder; but came to the prison under a commutation of sentence to imprisonment for life.

During the first three-quarters of the year, there was but little sickness, and no death. But early in July, a large number of the convicts began to complain of diarrhoea. This commenced the day succeeding the fourth, on which day the prisoners are by law, exempted from labor, and according to long established usage, receive a large extra allowance of food. From that period, till nearly the end of September, the number to be prescribed for daily, was between thirty and forty, and sometimes rose above seventy; nearly all of whom required treatment for this affection.

On the general statistics of the health of the prisoners the past year, viewed by the number of patients admitted to the hospital, and also by the loss of their regular labor, there has been no material increase over the average of the last three years.

Number admitted into hospital as patients:			
1846-7,---- 102	1847-8,---- 90	1848-9,---- 139	
Number of days spent in hospital, and lost to labor:			
1846-7,---- 913	1847-8,---- 875	1848-9,---- 1,162	
Number of days invalidated for the day, and lost to labor:			
1846-7,---- 682	1847-8,---- 573	1848-9,---- 677	

In addition to this, there have been seven hundred and ninety instances in which light labor, or change of labor have been allowed at my suggestion the past year.

*Rhode Island S. P.—Physician's Report, 1849.*—There have been two deaths, the first No. 1. He was attacked in January with severe gastric symptoms, and died on the 2d of April. An autopsy was made in the presence of several medical gentlemen and others, and upon opening the stomach, we found that the disease, which caused his death was a cancer embracing the whole surface of the pylorus. The ulceration had extended to the whole length of the mesenteric glands. He had been confined in prison about eleven years and five months.

The second death was No. 72. He died of dysentery. This took place during my absence.

The prisoners are provided, when sick, with suitable clothing, nursing, and nourishment, and no care is spared, not only to restore, but to preserve their health.

There are two sources of disease to which I respectfully ask your attention—a want of sufficient ventilation in the corridor, and the use of lead pipes. I have observed that the prisoners in the lower cells, where the water passes through a greater extent of lead pipe to some of the cells more than two hundred feet, suffer more from gastro-enteric affections than those in the upper cells, and on the west side more than on the east, where the water is used for mechanical and other purposes.

The prisoners are all now in good health, excepting Nos. 44, 84, and 85. No. 84 has been afflicted during the whole past year with chronic diarrhoea, and more recently with hepatitis, and perhaps with ulceration of the liver. I do not think he will recover, if retained in prison. No. 85 has a paralysis of his left side. His case is

hopeless at any rate. The only possible chance for his recovery, is his enlargement from prison.

*Causes of disease for 1849, including both State and county prisons:*

Diarrhoea, 19; chronic do, 3; rheumatism, 16; fever, 6; convulsions, 1; secondary syphilis, 6; palpitation of the heart, 1; menorrhagia, 1; otorrhea, 1; dyspepsia, 11; cough, 4; cancer of the stomach, 1; pneumonia, 1; nephritis, 1; cholera, 6; epilepsy, 1; dysentery, 5; tonsillitis, 1; paralysis, 1; hepatitis, 1—Total, 91.

*Connecticut S. P.—Dr. Welch's Report to Jan. 1849.*—At the time of presenting my last report, several of the convicts were suffering from the prevalence of small pox. Since that date, no unusual sickness prevailed, previous to my resignation, and there was but one death. A convict who was committed to prison in 1843, with an impaired constitution, the result of *dissolute* habits, had been under treatment previous to his conviction. His health which had for a long time been undermined, gradually declined until his decease.

*Dr. Warner's Report for April 2d, 1849.*—Your appointment was received January 3d. During the three months following there has been a very unusual amount of sickness among the convicts. An epidemic erysipelas has been of most serious character. There have been several cases of tuberculous consumption. A serious form of influenza, attended in many cases with grave symptoms, have been very prevalent. The erysipelas made its first appearance January 26th; since which time cases have been constantly occurring. In most of the cases which have terminated favorably convalescence has been slow and tedious.

During this quarter there have been eight deaths:

Case 1st. This was a case of pulmonary consumption. It appears from a record made by Dr. Welch at the time of his commitment, that his lungs were previously diseased. He died January 8th.

Case 2d was also one of pulmonary consumption. The subject was a colored man. He died February 5th.

Case 3d. A colored man. He came into the hospital with pulmonary disease more than a year previous. His disease made no rapid progress till the day before his death, when he was attacked with symptoms of pneumonia. Post-mortem examination,—left lung and the upper portion of the right perfectly useless from tuber-

culous deposition; the right containing several small cavities. The lower portion of the right lung was in the state "red hepatization." He died February 11th.

Case 4th was one of erysipelas. The patient had previously suffered from pulmonary disease. He was attacked with erysipelas of the face, Feb. 15th. He died Feb. 22d.

Case 5th. A man of a healthy appearance had a very slight attack of influenza, on account of which he remained in his cell, Feb. 17. There was very little constitutional disturbance, and on the 21st he went of his own accord to the shop. Before noon he had a fainting fit, and came in with symptoms of great depression. Pulse at the wrist was scarcely perceptible. He vomited freely. The hospital being full he was sent to his cell, where every thing necessary to his comfort was provided. In the evening he appeared much the same. The next morning he appeared rather better; pulse was fuller and there was less distress at the precordia, and less vomiting. Counsel was had in the course of the day. At night he was about the same as in the morning. All this time his intellect was unaffected. The next morning he was found dead in his cell. Post mortem examination—Drs. Welch and Wilson attended. The contents of the chest were perfectly healthy. The intestines contained scarcely a particle of fecal matter. The stomach was empty and the mucus membrane more particularly in greater curvature, was in a state of softening. This was the only lesion found. The other viscera were in a healthy state.

Case 6th. The patient was a colored man, who it appears had been subject to pulmonary disease previous to his commitment. He was attacked with erysipelas on the left hand, Feb. 24th. The constitutional symptoms at first were not severe, but the whole arm becoming affected, his breathing became very difficult, expectoration peculiarly dark, streaked with blood, and there were symptoms of collapse. These unfavorable symptoms increased, and he died March 7. Post-mortem examination showed the upper portion of both lungs in a highly congested state, and the heart unusually distended with blood.

Case 7th. This also was a case of erysipelas. The eruption appeared on the face March 19th. The most marked feature in the course of the disease was very active delirium, so much so, it became necessary to confine the patient. He died March 25th.

Case 8th, was that of an aged negro. He had been for a considerable time affected with general dropsy. The immediate cause of his death was dropsy of the chest. He died March 27th.

At the present time there are in the hospital three cases convalescing from erysipelas, three from fever, one case of erysipelas of the face, one of ulcers of the lower extremities attended with severe inflammation and grave constitutional symptoms, one of tuberculous consumption, one with chronic rheumatism, and the case in which a leg was amputated in January.

*New-York, 1849.—Auburn S. P.—Physician's Report.*—During the eight months in which I have had charge of the medical department of the prison, the number of hospital patients have been as follows: Whole number of patients each month, April, —; May, 18; June, 16; July, 20; August, 19; September, 19; October, 19; November, 27. The whole number of days in hospital were, commencing with April, for each month respectively, 228, 270, 200, 239, 285, 275, 242, 280; and the daily average for each month was, commencing as before, 7.6, 8.7, 6.66, 7.7, 9.19, 9.16, 7.8, 9.3; and the monthly average of convicts was, 519, 532.5, 547.5, 558, 562, 561, 579.5, 603. The patients were from the following workshops, viz: shoe-shop, 6 out of 51, the whole number in the shop; machine, 3 out of 41; cabinet, 14 out of 44; cooper, 6 out of 28; tool, 10 out of 41; hame, 12 out of 47; spin, 26; weave, 42; and dye, 6 out of 263; State shop, 33 out of 94. The number of deaths in hospital during this period, was as follows, viz: May, 1 by pneumonia; June, 1 by phthisis pulmonalis; August, 1 by pneumonia; September, 1 by typhus; November, 1 by cerebral derangement, typhoid.

On the second day of October last, a convict was found dead in the north wing, and one death occurred previous to my connection with the hospital, making the whole number of deaths in prison during the year, seven.

With a single exception, this, I believe, is the smallest annual mortality which has occurred in this prison for some years. But conclusions relating to the general health of the convicts, based on the number of deaths are, as it seems to me, of all data the least reliable. It is a fact well known that the incurable character of a malady with which convicts may be afflicted, has been a decided and in truth, almost certain reason on the part of the Executive for grant-

ing pardons, and although this may be the act of a well conceived humanity it nevertheless renders calculations drawn from the mortality in the prison almost worthless. The whole number of applicants for medical relief for out hospital patients was as follows, viz: Whole number prescribed for, 6,066, or a daily average of 24.86; whole number not prescribed for, 2,183, or a daily average of 8.94, total of applications, 8,249.

The marked improvement in the general health of this prison for the past few years may be attributed principally to the following causes:

First. The purchase of provisions for the prison by the agent, instead of the former method of procuring them by contract with individuals, whose cupidity thus exposed to temptation was at variance with the well being of the convicts.

Second. The manner of drying the convict clothing in apartments appropriated for that purpose, instead of using the banisters of the galleries as was long practiced. This change has rendered the atmosphere of the sleeping apartments much drier than formerly, and proved an important means of preserving health to the occupants. It can be still farther improved by removing several sources of moisture still existing in this portion of the institution.

Third. The introduction of tobacco rations, comparatively of modern date, for the use of such convicts as were habituated to it prior to their conviction, has in my judgment had a happy influence on the health of the inmates, and served to supply an absolute necessary in the general hygiene of the institution. This practice, unlike the drinking of ardent spirits, cannot be superseded by a more nutritious diet and a better regulated regimen, because its habitual use has established a far deeper necessity for it in the constitution. I am constrained to agree with Prof. Geo. B. Wood, that tobacco "must have properties peculiarly adapted to our nature to have thus surmounted the first repugnance to its odor and taste, and to have become the passion of so many millions." Its physiological effects, in such quantities as are absorbed by the system in the common practice of chewing, are to "quiet restlessness and calm mental and corporeal inquietude."

Fourth. Short sentences. It appears to me that the decrease in the terms of sentences, which has prevailed of late, has had mani-

festly a good influence upon the general health of the institution. Under long sentences the physical powers succumb to the mental depression so common in such instances, and the prisoners become a hopeless, melancholy, moving mass, whose "future is not brightened by images of joy; it stretches before them sterile and monotonous, sending no cheering whisper of a better lot."

Fifth. The vast improvement gradually brought about during the past four or five years in the discipline of this institution, has exerted a salutary influence upon its health, and should be a source of peculiar gratification to every friend of humanity. The unfortunate convict, oftentimes more to be pitied than despised, is relieved of an intolerable amount of suffering, absolutely unnecessary and positively injurious to his physical and mental health. In former times, when steady, unremitting punishment was supposed to be almost the whole object of our state prisons, the inmates were subject to the closest scrutiny, the severest physical punishments and privations which could be inflicted, and to every species of vexation which the caprice or malice of their keepers might choose to inflict.

Not many years since, a visitor to this prison might pass and re-pass through the whole extent of the working apartments, without being observed by any, or at least very few of its inmates; and the means of communication between the convicts, either by signs or speech, was almost wholly suppressed. Under such discipline is it not philosophic to conclude, that the health of the convicts must suffer much more than from absolute solitary confinement? By such discipline the instincts of our nature are continually violated, every sound that vibrates upon the ear is a call upon some other sense to assist in its relief, and every emotion of feeling has its demand upon some other faculty to come to its relief or help in its manifestation. Now is it not easy to perceive that so great a strife continually waged between the instincts and volition must be fraught with serious consequences to the mental and physical health of the subjects of such a system.

Even under the present modified form of discipline, the accumulation of punishment both through privation and infliction, is far greater than the casual observer would be inclined to believe. Without taking into consideration the isolation from every object held most dear in life, and only recurring to those of coarser make, we shall at once perceive how enormous must be the aggregate of punishment to an individual not wholly lost to every sentiment or feeling

1849

See  
 Board of Prisons  
 of  
 Massachusetts  
 1849

Tobacco

See  
 Board of Prisons  
 of  
 Massachusetts  
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that goes to make up the sum of human happiness, when we consider his obligation to labor hard, regardless of his own consciousness of ability to perform the task; the restraint of personal freedom, unremittingly imposed upon him; the prescribed diet to which he is restricted with no choice of his own to gratify, and the felon's costume, continually reminding him of the social degradation to which he is perpetually condemned.

During the past summer, the choleric influence was decidedly manifest in this prison. Diarrhœas were prevalent and severe, and several cases of endemic cholera, of intense character, occurred.

*New-York, Sing Sing, 1849.—Warden's Report.*—Great care was taken to keep the prison and prison grounds in a clean and healthy condition. Lime was freely used, tar and brimstone burned daily in the prison building and such other disinfecting agents employed as we could procure.

*Sing Sing S. P., 1849.—Physician's Report.*—There has been much less sickness among the convicts during the past than occurred in the preceding year.

The diseases which existed, have been chiefly of a chronic nature, excepting when the epidemic prevailed around us, at which time almost every individual connected with the institution was affected with incipient cholera, or the premonitory symptoms of that disease. By prompt attention to these *first symptoms*, and a timely application of remedies, its progress was immediately checked, and I now have the satisfaction to say, that not a single marked case of cholera has occurred.

Much sickness has been produced in the prison, in years past, by convicts coming from their labor in warm blood, and frequently in a high state of perspiration, and taking their meals in a cool and sometimes damp cell, there to remain for an hour, subject to a violent reaction in the system, and not unfrequently to a chill which compels them to wrap themselves in their blanket. This difficulty will be obviated by the table system, while the latter will certainly exercise a humanizing influence upon the convicts, and will be attended with less expense in the cost of food.

The average number in the male hospital on cots, for each day in the year, was  $12\frac{1}{2}$ ; the average number of prescriptions per day

during the year, was  $32\frac{1}{2}$ ; the average number of applications not prescribed for daily during the year, was  $4\frac{1}{2}$ ; the average number daily on hospital diet,  $25\frac{1}{2}$ , and the average number daily exempted from labor during the year,  $5\frac{1}{2}$ . In the female hospital, the average number on cots daily during the year, was  $1\frac{1}{2}$ ; the average daily prescriptions,  $4\frac{1}{2}$ ; the average daily applications not prescribed for  $\frac{1}{2}$ , and the daily average on hospital diet,  $6\frac{1}{2}$ , during the year. The state of health of convicts received during the year ending Sept. 30, was as follows, viz: in good health, 137; in indifferent health, 39; diseased, (venereal,) 46; in bad health, 14. The state of health of convicts discharged during the year, was as follows, viz: Received in good health, 101; in indifferent health, 24; diseased, (venereal,) 27; in bad health, 20; of which were discharged, in good health, 114; temporarily indisposed, 31; in indifferent health, 25; bad health, 2.

*New-York, Clinton S. P., 1849.—Physician's Report.*—There have been in the hospital during the year 22. The daily average in the hospital was  $3\frac{1}{2}\frac{2}{3}$ ; whole number of prescriptions out of the hospital 4038, or daily average of  $11\frac{2}{3}\frac{2}{3}$ ; died 4; excused from labor, average of each month,  $3\frac{1}{2}$ .

The character of the diseases has been mostly inflammatory, affecting principally the viscera of the abdomen.

The health of the prison is at present better than at any other time since I have been connected with it, there being no one at present requiring medical treatment.

*New-Jersey S. P., 1849.—Warden's Report.*—I will here repeat, that, in point of both mental and physical health, our prisoners will compare with those of any penal institution in the country.

*New-Jersey, Physician's Report.*—There have been three deaths in the Prison during the past year. One of these deaths has been from consumption of the lungs, one from an old disease of the bones of the neck, ending in a destruction of the spinal marrow, and the other from a wound on the throat, made by an insane prisoner. You have also been informed, that through the whole year, even during the prevalence of the cholera, the prisoners, as a body, have had better health than the people in the surrounding healthy neighborhood. This remarkable exemption from disease has not been peculiar to this season—it has become the habit of the house. The

deaths during the last eleven years have not averaged two a year, counting such accidents and incurable cases of long standing as must have proved fatal any where. When it is remembered that about two hundred and seventy-five persons are yearly confined in this Prison, the small mortality is so unusual, that the fact has become of great interest to those connected with the management of public institutions. Select where you will, an equal number of the same kind of individuals, ages, sexes, habits and constitutions, the yearly mortality among them is far greater. Even in those societies where comparative youth, sound health, and good habits are required for admission, the known statistics show a mortality four-fold greater than in this institution.

What are the causes of this remarkable degree of health?

Nutritious, well-cooked palatable food, the best meats and vegetables, so varied as to make a prison meal no punishment.

Abundance of clean warm garments and bedding.

Careful attention to temperature and ventilation.

Exercise in the open air, when the health absolutely requires it.

Constant employment on such work as calls into use the whole muscular system, as far as possible, and this employment insisted upon as a virtue.

A discipline that degrades the prisoner less, perhaps, in this than any other prison, for no man who conducts himself well, is ever treated otherwise than in the most friendly and cheerful manner.

Finally, that just estimate of one of the human wants which makes some intercourse with his kind a positive necessity, and without which, except in rare instances, the mental and physical state must suffer, is never forgotten. In the construction of prisons with separate cells, prisoners will communicate. The walls are conductors of sound. Water-pipes, heating-tubes, ventilators, in fact all, to an acute ear and patient experiment, will afford means of intercourse hardly suspected by a casual visitor of a prison. Whilst the convict is industrious, and well behaved in all other respects, the mere fact of his speaking through the walls of his cell to another, has not, of late years, been a cause for harsh rebuke or punishment. This exchange of thought has been the means of cheering, in a measure, his

unoccupied time, and producing an elasticity of mind such as never can exist in entire solitude.

*1849*  
*Pin.*  
Eastern State Penitentiary, 1849—Physician's Report.—Having witnessed the effects of separate imprisonment as administered in the Eastern Penitentiary on the physical and mental health of two generations\* of the inmates of that Institution, I consider that a candid exposition of my opinions on all matters relating to the subject is equally due both to the friends and the opponents of the system. And if in the expression of my views I fail to give satisfaction to the ultra advocates of either system, I can only say, that it is my earnest desire truthfully to represent the convictions that have been forced upon me by five and a half years' observation and reflection.

In all the discussions that have taken place respecting the merits and demerits of the Pennsylvania system, my opinion is, that neither its friends nor its opponents have placed it in its proper light. Its friends, many of them at least, considering it perfect as it now stands, view any suggestion for its improvement as a denial of its just merits, or a covert attempt to destroy it; while its enemies, founding their opinions on effects that are only due to defective administration, and deeming it susceptible of no improvement, denounce it as barbarous and inhuman. Now, I am confident, that no candid and competent observer would for a moment agree with the dogmas of either party. Place him in the Eastern Penitentiary, and after due deliberation, though he may acknowledge to our Boston friends having seen somewhat to justify their philanthropic ire, he will at the same time assure them with confidence that very little improvement in the construction and administration of the Philadelphia Institution is required to place it, as regards health, on a par with their cherished model at Charlestown.

Nor would these architectural and disciplinary modifications involve the slightest infraction of the professed principles of the Pennsylvania system. The separation of convicts from each other can be as easily effected with due regard to physiological laws as in utter defiance of them; and, surely, hardly any one need now be told that

\*The average length of sentences of white persons is 2 years, 8 months, and 14 days; of colored, 3 years, 3 months, and 14 days; therefore, my five and a half years' official connection with the Institution have enabled me to witness its effects on the health of two generations of its inmates, if I may be allowed the use of that term.



where the dictates of these laws are respected they yield in return longevity and health, but where their requirements are despised, whether it be in a castle or in a cottage, an alms-house or a prison, the inevitable results are suffering and death. Now, it must be acknowledged, that any one visiting the Eastern Penitentiary will find a sufficient violation of these laws to account for all the undue amount of physical and mental diseases it contains, without charging them to the principle of separation.

The mode of heating the establishment is exceedingly defective. In cold weather a uniform and sufficiently high temperature is quite unattainable, notwithstanding our most strenuous efforts; and the injury to health hence arising is quite too obvious to be questioned.

If we visit the cells when the temperature out of doors does not require the aid of fire, though we may find the walls dry, and the clothes and bedding of the prisoners comfortable, yet it is not unlikely that we may find the former dripping, and the latter saturated with condensed moisture; and, if we add to this, the practice which has prevailed of washing or rather flooding the cell floors once a week—some of the prisoners actually turning their hydrants and allowing the water to flow until the floor is covered—I think many cases of consumption can be accounted for, without seeking the cause in the patient's isolation.

The importance of fresh, pure air to the well-being of both mind and body, need not in these days be insisted on; yet it must be acknowledged, that the ventilation in the Eastern Penitentiary is defective. It is true, when the doors communicating with the yards and corridors are open a stream of fresh air rushes through the cells, which imparts life and vigor to their inmates, but when these are closed—and this under present arrangements must average more than twenty-two hours a day—the current almost ceases, and a more or less vitiated atmosphere alone remains to be inhaled by the prisoners.

There are few more potent sources of ill-health than the emanations from privies, and it is certain that in our cells these odors are often intolerably offensive. The use of chloride of lime, and the tight fitting covers recently applied, have done much to abate this disagreeable nuisance; but until our supply of water admits of the cess-pipes being washed out at least once a day, more or less injury to health must arise from them.

I cannot probably find a more fitting place than this to notice the existence of a similar nuisance, which, though situated beyond the walls, requires but the aid of a north-easterly wind to render its effects in our midst most painfully manifest. I allude to the poudrette manufactory located within a few yards of the building.

Combined with the foregoing hygienic defects it would be hard to calculate the exact influence of the deficient light of our cells on the health of the prisoners, but that it exerts a considerable power in the production of disease both experience and analogy sufficiently prove. On plants, the effects of cellars and other darkened situations are familiar to all; and men and animals when deprived of light, though they enjoy every other source of health, are distinguished by their pallid looks and other marks of imperfect organization.

I have now enumerated the chief hygienic defects that exist in the construction of the cells, and though I do not pretend that any of them, save the first, *always* exist in the extreme, yet all of them are present in a considerable degree; and when their separate influences are combined, no candid man can doubt, whether he be friend or enemy of our system, that they must exert an unequivocal power in the production of disease.

The healthy or unhealthy character of different trades is well known, and it is to be regretted that nearly all those in operation in the Eastern Penitentiary are proverbially deleterious. In the shoemaking and weaving departments the great majority of our prisoners are engaged; six or eight are carpentering and blacksmithing, and the remainder—a third of the whole number—are either entirely idle, or pursue the stultifying labor of wool and oak-um picking. In a pecuniary sense I do not deem it practicable, and under proper regulations even as regards health, necessary, materially to reduce the number of prisoners occupied at the first mentioned trades; but the necessity for employing a single man at wool or oakum picking does not exist.

As has been mentioned in former reports, another source of injury to the health of the prisoners, is the disproportion that exists between the severity of the discipline and the period during which they are subjected to its influence. There are many who consider our system milder than that of Auburn; but that is certainly an error. If the number and severity of punishments for breaches of discipline be

Closets  
 Ventilation  
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considered a criterion, the Pennsylvania system is certainly the milder; but those who reflect, will readily understand that the few and trifling punishments inflicted in the Eastern Penitentiary, only prove the moral superiority of its discipline, and are no index whatever of its influence on the health of body or mind.

It seems to be the opinion of a high authority connected with the Pentonville Penitentiary, that the separate system cannot be safely administered for more than a year or eighteen months. I am not unmindful of the rare intelligence that has been called to the guidance of that Institution, but I truly believe that my own experience justifies me in saying that prisoners can be subjected to the intelligent administration of the Pennsylvania System for years with perfect safety to both mind and body. Nor do I think that the results of the Pentonville Penitentiary can be considered fair criteria of what we may expect in an American prison, where the same discipline is adopted. In addition to the direct influences of imprisonment, the Pentonville convict has the certainty of an ignominious exile constantly preying on his mind; and those only who have voluntarily left their native country can properly estimate the mental distress and consequent disease due to that cause. The prisoner in the Eastern Penitentiary has no such harassing thoughts to contend with. He knows that at the expiration of his imprisonment his punishment will end; and that he will be free to return to his native place, or to seek any other home prompted by his interests or inclinations.

If I have charged to hygienic defects in the construction of the cells and unhealthy avocations, most of the undue amount of disease that prevails among our prisoners, I believe the following statement will fully sustain the truth of my opinion. Since the opening of the institution, about one hundred prisoners have been employed in carpentering and blacksmithing; and it is an interesting and instructive fact, that among those so engaged but two deaths have occurred, and, as far as I can learn, a solitary case of insanity originated, though they have been as rigidly separated from their fellow convicts as their less fortunate brethren bending over the last or seated at the loom. I think that to every unprejudiced mind, this will be a conclusive proof that there is nothing in the principle of separating convicts from each other inimical to life or reason, and the lesson it should teach ourselves is too obvious to need discussion. I certainly do not wish or expect to see the Institution turned into a penal colony of carpenters and blacksmiths, but I heartily desire to see as

Separate system not injurious to health

many of our prisoners employed in these capacities as circumstances admit of.

As regards the effects of weaving and shoemaking on the health, I believe that much, very much, can be done to avert their evil tendencies. In the first place, the strictest scrutiny should be exercised that the prisoners selected for these employments possess the necessary mental and physical vigor to resist their enervating influences. This has not heretofore been the case. Prisoners are often put to weaving and shoemaking whose unhappy fate the officers truthfully predict on the day of their reception.\* The present exercising yards are comparatively little used, and, their high walls obstructing the sun are almost perpetually damp, and aid very much in keeping the cells in the same condition. The labor and expense of converting these yards into excellent workshops would be comparatively trifling, and other exercising yards in every respect superior, could be erected at a proper distance. This alone would exert the happiest influence on the health of the prisoners, especially if some simple gymnastic exercise were combined with it. I have been informed that machines can be easily constructed which would enable our shoemakers to stand erect when at their work. If this be true, the suggestion should not be lost sight of, as *cordwaining is by far the most destructive to health of all our employments.* Besides, when symptoms of failing health appear, such arrangements should exist as would enable us, instantly, to remove the individual to some outdoor employment, at which he could remain until either his health is restored or his sentence expires. At the present time, when the health of a weaver or shoemaker begins to fail, he must either struggle on at his original employment, or quit it for entire idleness in the Infirmary, or be removed to one of the old blocks, where he remains profitless to the Institution, and a burthen to himself. The effect of this is quite obvious.

As I have before declared, nearly a third of our prisoners are entirely idle, or engaged at that detestable wool and oakum picking, or analogous employments. This class is composed of those who enter the Institution in imperfect bodily health, or with minds so dull or otherwise imperfect as to render their instruction in any mechanic art too tedious or unprofitable; and by those who, having

\*In all efforts that have been made to lessen the injurious effects of these unhealthy avocations, I cannot refrain from expressing my high sense of the intelligence and humanity that have been invariably displayed by the officers of the different departments.

been received in good bodily and mental health, have had either the one or the other impaired while engaged at weaving or shoemaking. Now, it is evident, that in every respect this is the very worst provision that could be made for these individuals. In a pecuniary sense it is ruinous, and to the health of both mind and body it cannot fail to prove inimical.

Let us suppose that one hundred and twenty prisoners are received during the year. Of these, a certain number will be found to possess the necessary strength of body and mind to resist the unhealthy influences of weaving and shoemaking. Let them be so employed. In another class we will find the body strong and vigorous, but the mind somewhat defective. Let these men be kept at some laborious employment in the open air—sawing stone for example—and whether the sentence be one year or ten, so far from being an expense to the State, their labor will prove profitable to the Institution; and, what is of infinitely more importance, preserve their mental and physical health unimpaired. A third class will present themselves with their minds ordinarily developed, but in delicate bodily health. These men require some light out-door employment, or to be kept in suitable work-shops, at easy and healthy occupations—chair-seating, turning, carving, &c. And a fourth class differing from all these will be discovered—colored boys—to whom, under present arrangements, a sentence of three years is almost equivalent to one of death. I do not believe that the high mortality which prevails among colored prisoners is due to any particular influence of the separate discipline on persons of the African race, but because nature has endowed them with less vitality than their white brethren, and hence they more readily yield to the same destructive influences. I believe all that is necessary to relieve us from our present anxiety respecting them is to improve the hygienic arrangement of their cells, and to take proper advantage of the ample space within the walls for affording them out-door exercise and employment. What else than disease and death can be expected from shutting up in a close and damp cell, at an unhealthy employment, a half developed boy of feeble organization. If we were to place five hundred together under similar conditions they would inevitably die in the same proportion as under their present isolation.

The foregoing is not by any means a fanciful classification of our prisoners. The distinctions are strongly marked, yet all are now treated alike—the white and the black, the old and the young, the feeble in body and the robust, the weak intellect and the strong

whether the sentence be one year or ten, are nearly all subjected to the same unvarying discipline. Is there not a large amount of disease due to this indiscriminate administration?

I have often mentioned the necessity of out-door exercise and employment, in order to preserve or restore the health of our prisoners. Should I be asked, is it possible to grant this advantage to the extent I have indicated? I confidently answer, Yes. We have ample space within the walls to admit of at least fifty prisoners being employed five or six hours a day in the open air, without any more intercourse with each other than if they were confined to their cells. If it were possible to get rid of the present amount of disease, and to start with three hundred fresh prisoners, the proper occupation of our now almost useless yards and gardens would preserve a degree of health among them that was entirely unknown to their predecessors, even should the other hygienic defects remain as at present.

I would not be understood to intimate that there is now no out-door exercise afforded to our invalids. Thanks to my predecessor, there certainly is; and though somewhat extended since his time, yet on quite too limited a scale—just enough to faintly shadow forth the vast advantages it is capable of yielding, were it carried to its proper limits or resorted to at a proper time.

Before leaving this subject, I wish distinctly to declare that, in giving prisoners out-door exercise and employment, *I neither desire, nor deem it necessary, to modify in any way their present rigid separation from each other.* Nor will I admit, that my earnest desire to place them under such influences as are calculated to prolong their lives and preserve their reason is the result of any mawkish sensibility. I am willing that the most extreme penalty of the law should be inflicted on any offender whose guilt deserves it; but I cannot admit that a sentence of imprisonment justifies the community in placing the convict under any circumstances likely to injure the health of either body or mind.

Though the unhealthy avocations pursued by the prisoners, and the hygienic defects I have declared to exist in the construction of our cells, must injuriously affect the health of their minds, these must be supposed to do so through their influence on the bodily organs. Those privations which we may consider as acting directly on the mind itself I shall now briefly mention.

I have heard various estimates of the amount of intercourse afforded to our prisoners, but they were all very much exaggerated. My own observation, and the opinion of our most intelligent officers, satisfy me that the average daily conversation of each prisoner, does not exceed, if, indeed, it equals, ten minutes. This is quite too little. Men of strong and cultivated intellects, with books for companions, might bear uninjured this privation of social intercourse; but the ignorant and weak-minded prisoner must be more or less injuriously affected by it. If it were not possible to remedy this evil, how far it might be urged against the system I shall leave others to determine; but, happily, there is no amount of intercourse necessary that cannot be afforded with the greatest ease. Heretofore, the individuals permitted to visit the prisoners for the purpose of moral instruction, &c., have been invariably confined to the more educated classes. I believe this to be an error. Among those of our citizens who have less pretensions to intellectual culture, many will be found who possess every qualification necessary to render their intercourse with our convicts highly beneficial; I would, therefore, earnestly recommend that their services be immediately solicited.

Though our library is at present much better adapted to the mental capacity and wants of our prisoners than it was a few years ago, it is still susceptible of great improvements. Besides, I fear there is not always the necessary care taken in distributing the books it contains to adapt them to the mental development of the different prisoners. I have certainly known works that could interest and instruct the educated only, put into the hands of prisoners in no way qualified to understand their subjects, or appreciate their merits. In order to derive from the distribution of books all the benefits they are capable of yielding, I would recommend that when given to a prisoner he should be informed that in due time he would be questioned respecting their contents, and required to discuss their character and merits. If those who enter the cells for the purpose of instruction, &c., were steadily to pursue such a plan as this, they would afford more real intercourse, and impart more solid benefit to the prisoner, than ten times their number following the present desultory conversations.

The dread of informing prisoners of the occurrences of the day is not now so strong as formerly; but I believe they are still kept quite too ignorant of passing events. The congregated convicts are much better off in this respect than their isolated brethren, as each fresh accession to their number imparts to them all that has past to the

date of his imprisonment; and I consider it well that it is so, for to afford a prisoner no knowledge of what is passing in society, is to consign him to a living death, and most certainly disturb the balance of his mind, without in any way, that I can conceive, benefiting his morals. But there is another light in which this privation must be contemplated. One of the most pleasing and important features of the Pennsylvania System is the protection it affords the convict from future recognition either by his fellow prisoners, or others that vulgar curiosity may have attracted to the scene of his incarceration. Yet do we not often place him in imminent danger of detection by restoring him to society as ignorant of its current events as if he had risen from the dead.

I am certainly of opinion, that some means of connecting the separated prisoner with the world beyond the walls would in every respect prove to his advantage; but I hope not to be understood as recommending him to be informed indiscriminately of all that passes.

I believe that we should permit a much freer intercourse between the prisoner and his friends than is now the case. Letters—always passing through the Warden's hands—and visits from such relatives as are known to pursue a virtuous life, might be made the means of infinite good to both the mind and morals of the isolated convict.

The many rude attempts among our prisoners at the construction of musical instruments show their strong yearnings after this harmless and agreeable recreation. Occasionally, in the different corridors, the stillness of evening is broken by strains which are a source of infinite pleasure to the lone musician; and are, I will venture to say, attentively listened to by his less gifted neighbors. By many my views may be strongly opposed, but I must express my hearty desire to see every prisoner in the Institution, who has the slightest musical talent, furnished with whatever instrument he prefers, and encouraged to use it at proper times for his own pleasure and that of his associates who may not have the good fortune to possess this enviable faculty. Nor in making this recommendation is it the mere amusement of the prisoner that I have in view, though I consider even that a legitimate object. Over the moral and intellectual nature of man music has long been acknowledged to possess the most unequivocal influence. If we go back to the sacred writings we find many striking illustrations of its power; the Egyptians resorted to its influence in the education of youth, in order to promote virtue and morality; and in later days the most prominent divine that ever

20 Gardner = 208 p. 100 29 to 30 p. 104

20 Gardner = 208 p. 100 29 to 30 p. 104

20 Gardner = 208 p. 100 29 to 30 p. 104

20 Gardner = 208 p. 100 29 to 30 p. 104

lived, declared, "music to be one of the most beautiful and glorious gifts of God, to which Satan is a bitter enemy."

If blind revenge were the only object of imprisonment, the mental relaxation I have just indicated would certainly be out of place, but—in an age which declares the reformation of the convict to be the chief motive for his incarceration, and under a system of discipline which professes to accomplish this desirable result more effectually than any other—I consider that we may not only unhesitatingly, but that it is a duty incumbent upon us to furnish the offender with any source of harmless amusement that is compatible with his safe detention. Though under the separate discipline there need be no difficulty in affording the prisoner sufficient social intercourse to preserve the balance of his mind, he will, nevertheless, have many lonely hours that it would be cruel to deprive him of any harmless means of beguiling.

Though not to the full extent of my anticipations, I am happy to say that my prediction of a small mortality for eighteen hundred and forty-nine, has been in a considerable degree realized. Six only have died; and, what is equally encouraging, the indications of a small number of deaths during the present year are quite as flattering as they were at the beginning of the past. Indeed, all things seem to indicate that the high mortality which has heretofore prevailed among our prisoners is at an end; and that ere long the contemplated improvement in our discipline, will enable us to present such a degree of health as will remove all farther opposition to our system. To the gentlemen whose opinions and exertions have been mainly instrumental in bringing about this improved state of things, I cannot refrain from expressing my hearty congratulations; and I am certain that it is impossible for me to present them with stronger incentives to a continuance of these efforts, than the assurance that the results in the past year are but an index of what in succeeding ones they are capable of yielding. But in expressing these hopes for the future, I am desirous not to be understood as entertaining the belief that the mortality of a prison population can possibly be reduced to the same standard that exists among persons of the same age in society. In all penal establishments—especially those which, like the Eastern Penitentiary, receive the human debris of a populous city—there exist in the constitutions of the inhabitants, previous to reception, causes of high mortality, which no subsequent efforts can fully obviate.\* But after making due allowance for the influence of

\* For a Table, which forcibly illustrates this remark, see Eighteenth Annual Report, page 51.

admitted disease, we have still a number of deaths, which must be attributed to the causes I have mentioned; and it is these, and these only, which I expect to diminish.

During the summer, diarrhoea was exceedingly prevalent among our prisoners; but we happily escaped the ravages of cholera. For this exemption we have reason to be truly grateful; but no one acquainted with the mysterious movements of that terrible disease would be likely to attribute our escape to the nature of our discipline.

To what the table furnishes I consider some additional information necessary to the thorough understanding of four of the cases of disease that terminated fatally during the past year. No. 2156 was more or less an invalid from the date of his reception, and addicted to those habits which are well known to be one of the most frequent causes of the disease of which he died. These facts should not be lost sight of when comparing the mortality of our carpenters and blacksmiths with that of the shoemakers, weavers, &c. So ill was No. 2385, while in the county prison, that it was deemed necessary for a physician to accompany him on his way hither; and he was carried from the sheriff's wagon to our Infirmary. Here he recovered so far as, at his own earnest request, to be permitted to go to weaving. After some time however, his intermittent returned; but even on the day previous to the night on which he died he was at work, and in the evening received his supper without making any special complaint. No. 2405 never complained of the slightest illness during his residence with us. On the 30th March he eat all his meals as usual, and at the hour of locking up appeared to his keeper in perfect health. He died during the night. The post-mortem inspection discovered an extensive accumulation of water in the ventricles of the brain. How long this fluid had been collecting it is impossible to say, as even to the last moment its presence was not indicated by a single appropriate symptom. Throughout the greater part of the illness of No. 1924, we had infinite difficulty in persuading him to take medicine. At first, whatever was prescribed for him he kept in his mouth, and spit out when unobserved. After this was detected he became irritable, and obstinately refused both food and medicine, or, at least, took them so irregularly, that but little benefit could be expected from them. Indeed, I consider it highly probable that his life might have been saved had he proved a more tractable patient.

I need hardly say, that for the death of neither Nos. 2385 and 2405, can the Institution be held accountable. No. 2385 contracted

his disease before coming under our care; and let that of No. 2405 originate where it may, it was not of such a character as could be attributed to a residence with us.

No. 2134 was pardoned several weeks before his death; but as his disease originated in the Institution, and executive clemency was extended to him on account of ill-health, I deem it right to report the case.

With the facts already before the public, it would be folly to deny that there is an undue development of insanity among our prisoners; but the difference between this and the Auburn Institutions is certainly not so great as the opponents of our system affect to believe. In all penal establishments there is a much larger amount of insanity due than in the community at large: hence, I am decidedly of opinion, that if the associate prisons were subjected to the same rigid tests that have been always applied in this Institution, they would be found to enjoy a much less exemption from mental disease than their reports seem to indicate. However, this is a matter which in no way concerns us. If at Auburn, Sing Sing, and Charlestown, there were an acknowledged insanity of twelve per cent, and a mortality of ten, that would in no way justify Pennsylvania in permitting even one in a thousand of her convicts to die or go deranged, provided she had it in her power to prevent him by the adoption of a few simple measures suggested by common sense and experience.

The intellect of four of the prisoners who became deranged during the past year was registered on their reception as being somewhat defective, but the deficiency was too slight to present any obstacle to the pursuit of the avocations generally followed by persons of perfectly sound mind, or probably to attract the attention of others less interested than we are in scrutinizing the different shades of mental development. And it is among prisoners of this class that mental diseases most frequently prevail: in those of thoroughly sound and moderately educated minds the development of insanity is comparatively rare. This is an important distinction; as it at once warns us of the quarter whence most danger is to be apprehended, and affords ample time to take the necessary measures of prevention. It may possibly be considered a matter of much less moment, that a prisoner, whose intellect was originally more or less defective, should become totally deranged or obliterated, than one whose mind presents all the characters of ordinary development. I confess I do not think so. It would have been a much more serious evil indeed, if,

before the Essay concerning the Human Understanding dispelled the doctrine of "innate ideas," or the Novum Organum laid the foundation of the brilliant discoveries that characterize the last and present centuries, the mighty intellects which produced them had been shrouded in darkness, than if mental night had overtaken one of the more humble travellers in the paths of science; but I consider that no such distinction can be properly made among those individuals whose intelligence barely suffices to guide their own footsteps through the common occurrences of life.

There are two other kindred views which, being also calculated to infinitely retard the necessary improvements in our administration, I cannot pass over in silence—I have heard it said, that if the Pennsylvania System even does produce a greater amount of insanity among the prisoners subjected to it, its moral superiority would more than counterbalance the evil. I consider this a highly dangerous doctrine. Though society may have the right to destroy the life of the body, I cannot admit that any object can justify it in placing a criminal under influences which it is even feared will endanger the well-being of his mind. Besides, if the separate system cannot be administered with perfect safety to the intellect, I believe that no moral superiority can be claimed for it; for, if the mind is weakened, the power of reformation is diminished in proportion; and if total derangement is produced all responsibility is at an end.

In the second opinion above alluded to, it is argued:—that the prisoner errs voluntarily, and with a full knowledge of the punishment that awaits him if detected, therefore, society is in no way accountable for the worst fate that can befall him, or bound to take any measures to avert it. If this theory contains a particle of reason or humanity, I submit that the English have very unnecessarily reduced their one hundred and sixty capital offences to three; for in the days when a man would have been hung for cutting down a cherry-tree, hardly value for a dollar, he was quite as well acquainted with the punishment that the law awarded to his crime as the Pennsylvanian of the present day is, that he would be imprisoned a certain number of years for committing a burglary. Besides, I am confident that the offender against our laws is not aware of the severity of the punishment that awaits him; nor were those who framed our laws; nor are many of those at present engaged in executing them, at all aware of their actual effects on the health of body and mind. For my own part, I heartily believe that no arguments of the kind are necessary for the defence of the separate system. If

Separate System  
superior to Auburn - in view of  
officers

1849

Reference

its principles are thoroughly understood and acted upon, the results will not require any such special pleadings from its friends, for its opponents will find nothing to condemn. An honest believer in the moral advantages of *separating convicts from each other*, and equally satisfied that their separation *can* be effected without the slightest injury to their physical or mental faculties, I look forward to the day when the Pennsylvania System will be made the *basis* of penal restraint in all intelligent communities; but I must in truth confess, that I cannot expect credence from others, without first declaring that my hopes of its extension are not founded on the results that characterize its past administration in the Eastern Penitentiary.

As usual, a number of insane, and more or less weak-minded prisoners, have been received during the year.

The degrees of relationship which exist between those prisoners who acknowledged having insanity in their families and their relatives so afflicted, are as follows:—Parents, 1; grand parents, 1; brothers or sisters, 4; uncles or aunts, 7; cousins, 1.

All necessary information respecting the following cases of insanity which originated during 1849, is contained in the following table.

TABLE.

No.	Color.	Age.	Sex.	Crime.	HEALTH ON ADMISSION.		Time in prison.	Hereditary tendency.	Event.
					Bodyly.	Mental.			
2382	M.	25	M.	Larceny.	Delicate.	Weak.	6 m.	None.	Cured.
2274	W.	30	M.	Larceny.	Good.	Medium.	1 y 4 m.	None.	Unimproved.
1887	W.	30	M.	Burglary.	Imperfect.	Good.	4 y 4 m.	None.	Unimproved.
2317	B.	21	M.	Burg. & lar.	Good.	Weak.	1 y.	None.	Improved.
2331	W.	43	F.	Larceny.	Delicate.	Weak.	1 y.	None.	Partoned.
2398	B.	15	M.	Larceny.	Asthmatic.	Good.	1 y.	Uncle insane.	Unimproved.
2280	M.	25	M.	Larceny.	Good.	Good.	6 m.	Father insane.	Unimproved.
2251	W.	24	M.	Burg. & lar.	Good.	Good.	1 y 7 m.	None.	Unimproved.
2451	W.	22	M.	Larceny.	Good.	Good.	2 y.	None.	Improved.
2378	W.	38	M.	Larceny.	Good.	Good.	4 m.	None.	Partoned.
2273	B.	30	M.	Manslaughter.	Epileptic.	Weak.	1 y.	None.	Unimproved.

There is a subject which I would certainly pass over in silence, were it not that the views entertained by a few individuals respecting it are calculated to lead to infinite error. I allude to the practice of self-abuse. Some of the warmest advocates of the Pennsylvania System attribute all the insanity and death that have originated in this Institution to indulgences in this vice. That it is practiced with us, as in all similar institutions, and that injurious effects arise from it, I freely admit; but I am confident that its frequency, and the mischief attributed to it, are both exceedingly exaggerated. It is certain that I have known many instances of fatal disease to be charged to this cause when the prisoner, in the full consciousness of his condition, declared within a day or two of death that he had never been guilty of it, or, at least, so seldom that it is preposterous to suppose that it had the slightest influence in the production of his malady. Thus, it was said that the insanity and death of the last prisoner who died in the Institution was caused by this habit, yet within half an hour of his death he most emphatically denied having ever indulged in it; and I have known and could specify many similar instances were I not in haste to drop so uninviting a theme.

The improvements in our administration, which I have indicated as requisite to preserve the due proportion of health among our prisoners, may by some be considered unnecessary, and in others may excite surprise. Perhaps, without lengthened discussion, I could say nothing more likely to substantiate my opinions, than that they were formed at a time when I knew and cared but little for "systems" of imprisonment, and that they have been strengthened by subsequent study and experience. When I first took charge of the Medical Department of the Institution, I was perfectly ignorant in all matters relating to penal economy; but my knowledge of hygiene was sufficient to enable me to discover that, however wise in a moral point of view the principle of separating convicts might be, our mode of carrying it into effect was calculated to act more or less injuriously on the health of those subjected to it. Nor was I at all surprised to find it so. When the Eastern Penitentiary was erected, hygienic laws were so little understood, or, at least, acted on, that even hospitals, designed for the reception and cure of physical disease, were constructed with but little regard to their principles.

The following account of fatal cases in this Penitentiary for the past year (1849) is presented, viz.: Number 2156, white male, aged 45, born in New-York, after three months confinement in county prison, was admitted November 12, 1846; first conviction, crime,

horse stealing; sentence, 8 years; afflicted with rheumatism; mill wright before conviction, in prison a turner; single man and intemperate, died Jan. 26th, 1849, of paraplegia, after 2 years, 2 months and 4 days confinement.

No. 2885, white, male, aged 32, born in Ireland, confined in county prison 5 weeks, admitted Oct. 2, 1848, with intermittent fever, sentenced 3 years for larceny, first conviction, former occupation sailor, present weaver, single, intemperate, died March 11, 1849, of intermittent fever, in prison 5 mos. 9 days.

No. 2094, white, male, age, 53, born in Maryland, time in county prison, 8 weeks, admitted April 16, 1846, with hernia, sentenced 3 years for burglary, first offence, occupation, laborer, in prison, wool picker, single, intemperate, died March 22, 1849, of hydrothorax, in prison 2 yrs. 11 mos.

No. 2405, black, male, aged 24, born in Pennsylvania, time in county prison 2 mos, admitted Dec. 6, 1848, in good health, sentenced 2 yrs. 6 mos. for robbery, first conviction, occupation, laborer, in prison, weaver, occasionally intemperate, died March 31, 1849, of disease of brain, in prison 4 mos. 2 days.

No. 1924, white, male, aged 65, born in Germany, time in county prison 2 mos., admitted Jan. 11, 1845, in good health, sentenced 5 yrs. for assault and battery, first conviction, occupation none, in prison, bobbin winder, married, temperate, died July 20, 1849, of diarrhoea, in prison 4 yrs. 7 mos.

No. 2134, white, male, aged 39, Pennsylvania, time in county prison 2 weeks, admitted Aug. 20, 1847, in imperfect health, sentenced 5 yrs. for assault and battery with intent to kill, first conviction, occupation, shoemaker, in prison, shoemaker, married, intemperate, died Dec. 16, 1849, of phthisis, in prison 3 yrs. 3 mos. 18 days.

The following is the percentage of mortality for both colors: Whites 2.5, blacks 1.31, percentage of both, 2.17.

1849  
 No. 198.



( A. )

TABLE Showing the number of White and Colored Prisoners discharged from Eastern Penitentiary, Pa., with the state of health at the time of admission and discharge.

HEALTH.	TIME IN PRISON.												Total white.	Total colored.	Grand total.		
	White.						Colored.										
	1 year and under.	1 to 2.	2 to 3.	3 to 5.	5 to 7.	7 to 10.	1 year and under.	1 to 2.	2 to 3.	3 to 5.	5 to 7.	7 to 12.					
<i>20 years of age and under.</i>																	
Rec'd and discharged in good health, .....	1	4	2	4	1	1	1	1	2	1	5	1	3	4	4	4	
in good health & disch'd impaired, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	3	
in imperfect health & disch'd improv'd, .....	1	1	1	1	1	1	1	1	2	1	1	1	1	1	1	1	
and discharg'd in imperfect health, .....	1	1	1	1	1	1	1	1	2	1	1	1	2	3	1	3	
in imperfect health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Rec'd and discharged in good health, .....	4	2	4	2	1	5	5	2	2	1	2	1	11	7	18	18	
in good health & disch'd impaired, .....	3	3	2	3	1	1	1	1	1	1	1	1	1	4	15	15	
in good health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4	4	
in imperfect health & disch'd improv'd, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
and discharged in imperfect health, .....	1	1	1	2	3	3	3	2	2	1	1	1	3	6	18	18	
in imperfect health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7	7	
Rec'd and discharged in good health, .....	1	1	1	1	1	1	1	1	1	1	1	1	5	5	7	7	
in good health & disch'd impaired, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	2	6	6	
in good health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7	7	
in imperfect health & disch'd improv'd, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4	4	
and discharged in imperfect health, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5	5	
in imperfect health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7	7	
Rec'd and discharged in good health, .....	1	3	2	3	4	1	1	1	1	1	1	1	10	10	12	12	
in good health & disch'd impaired, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	3	5	5	
in good health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7	7	
in imperfect health & disch'd improv'd, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
and discharged in imperfect health, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	6	6	
in imperfect health and died, .....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7	7	
Grand total, .....	19	32	16	18	1	2	11	12	4	2	2	2	33	33	121	121	

Rec'd and discharged in good health, .....

in good health & disch'd impaired, .....

in imperfect health & disch'd improv'd, .....

and discharged in imperfect health, .....

in imperfect health and died, .....

Rec'd and discharged in good health, .....

in good health & disch'd impaired, .....

in imperfect health & disch'd improv'd, .....

and discharged in imperfect health, .....

in imperfect health and died, .....

GENERAL SUMMARY.

Received and discharged in good health, of all ages, .....

in good health and discharged impaired, .....

in imperfect health, and discharged improved, .....

and discharged in imperfect health, .....

in imperfect health and died, .....

*Prison Diseases - (cont.)*

*Western Penitentiary—Physician's Report.*—During the year there has been a remarkable degree of good health, except whilst cholera prevailed in the neighborhood, in the summer months; at which time there were many cases of diarrhœa within the prison. These attacks were sudden and severe in the onset, but very speedily yielded to treatment. Every prisoner was made aware of the importance of reporting the first symptoms of diarrhœa, and thus early attention was secured, and prompt relief afforded. Notwithstanding the degree of good health enjoyed by the prisoners generally, the mortality has been greater than for several preceding years. The explanation for this is to be found in the feeble state of health in which several of those who died during this year, had been received into the prison.

No. 1270, black male, received Oct. 28, 1848, "with a constitution broken down by intemperate habits." He had long been a vagabond drunkard about our streets and wharves—of very feeble intellect. He died Feb. 3, 1849, from exhaustion of nervous or vital power, consequent upon previous habits of life—no organ especially suffering.

No. 1273, white male, received Nov. 2d, 1848, "with heart diseased, general health feeble—inguinal hernia," died May 13th, 1849, of diseased heart—post mortem examination showed ventricles softened and auricles much thinned.

No. 1062, white male, received March 24th, 1845, "general constitution feeble—habits intemperate—laboring under chronic disturbance of digestive organs, and died June 16th, 1849, of chronic irritation of stomach and bowels, having been an invalid during all his confinement, but at times greatly improved in health.

No. 1109, white male, received Nov. 17th, 1845, in good health, and died Sept. 21st, 1849, of chronic inflammation of bowels.

No. 1281, black male, received Nov. 19th, 1848, "with diarrhœa, has scrofulous enlargement of cervical glands," and died Oct. 3d, 1849, of pulmonary consumption.

No. 1224, white male, received June 29th, 1849, "in very feeble condition—has had chronic diarrhœa for a long time—at present has frequent rice water evacuations, very copious—tongue cold, pulse

very small and feeble, skin cold and clammy—of very intemperate habits," died Oct. 21st, 1849, of chronic inflammation of bowels.

No. 1207, white male, received Aug. 12th, 1847, "with feeble constitution—mind very weak;" on one or two occasions he had nearly starved himself to death—admitted, subsequently, it was with the hope that he would be released from prison on the ground of insanity—was very obstinate in his refusal of medical treatment—scrofulous disease developed itself, but he died Nov. 16th, 1849, of cholera morbus; refusing medical assistance till too late to be of any avail.

( B. ) TABLE Showing the Sex, Color, duration of Imprisonment, state of Health on reception and discharge by expiration of sentence, during the year, from the Western Penitentiary, Pa.

YEARS.	MONTHS.	STATE OF HEALTH ON ENTRANCE		Total.	Colored.	White.	Total.	Feeble.	Good.	Subject to disease of kidney and bladder.	Subject to frequent fits of coughing.	Intemperate.	Not robust; pain in the breast.	Two sisters died of consumption.	Neuralgic disease.	Scars from scrofula abscess.	Father, mother, brother or sister died of phthisis.	Lungs diseased; nervous.	Feeble health; broken by intemperance.	Head attacks of insanity or had in same relatives.	Chronic ulcer from comminuted fracture.	Suffering from regular syphilis.	Good.	Improved.	Equally good as on entrance.	
		General health good, subject to the following modifications.	General health bad.																							
4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.	.....	.....	.....	54	22	32	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	47	6	.....	

\*White female—all the others males.

The Sex, Color, duration of Imprisonment, State of Health on reception and discharge of each prisoner discharged by pardon during the year.—No. 1407, male white, in prison 4 yrs. 11 mos., health on reception, severe cough, emaciation, upper half each lung tuberculous, severe hemorrhage of lungs 2 yrs. since, health on discharge improved, never out of cell during imprisonment, and but 3 days off work last 4 yrs. and 9 mos. No. 1065, M. W., in prison 4 yrs. 4 mos., on reception good, habits intemperate, on discharge good. No. 1076, M. W., in prison 3 yrs. 11 mos., on reception good, on discharge good. No. 1007, M. W., in prison 3 yrs. 10 mos., on reception good, on discharge good. No. 1112, M. W., in prison 3 yrs. 1 mo., on reception good, on discharge good. No. 1180, M. W., in prison 2 yrs. 1 mo., on reception generally good, suffering from recent injury to ankle, on discharge good. No. 1181, M. W., in prison 1 yr., on reception intermittent fever, on discharge good. No. 1195, M. W., in prison 2 yrs. 5 mos., on reception good, very intemperate, on discharge good. No. 1230, M. W., in prison 1 yr. 10 mos., on reception good, mother epileptic and insane, on discharge good. No. 1235, M. W., in prison 1 yr., on reception good, parent and two sisters died of phthisis, on discharge good. No. 1265, M. W., in prison 11 mos., health good on reception and discharge. No. 1268, M. W., in prison 11 mos., on reception good, intemperate, on discharge good. No. 1136, M. W., in prison 1 mo., health on reception, disease of hip joint, mother, brothers and sisters died of phthisis, on discharge, same condition. No. 1347, M. W., in prison 3 wks., on reception, chronic dyspepsia, on discharge, the same. Every prisoner, except two in the shoemaking department, performed full tasks during the year.

Maryland S. P., 1849—Physician's Report.—During the past summer and fall our city has been visited by a very severe form of epidemic dysentery. From the devastating effects of this malady, your institution has not escaped, and it will be seen on referring to the causes of death, that two-thirds of the mortality has been produced by this character of disease. Although the actual number of admissions is less than in 1848, yet their average continuance in the hospital is much longer. The number of cases of dysentery, moreover, is in reality larger than is represented, for many of them commenced as simple diarrheas, and are so recorded in the hospital account. During the months of January, February, March and April, the institution also suffered from an epidemic of erysipelas, but owing to the fact that the patients were completely isolated, the contagion was very limited, and but 24 cases occurred. Two of the deaths herein recorded were produced by it.

Monthly average of patients in the hospital during the year 1848, was 144, and during 1849 was 19.

TABLE  
Showing the Number and Causes of Death, for the last Twelve Months.

No.	Sex.	Color	Age.	Time of death.	Length of confinement.	Sentence.	Health previous to attack.	Disease.
1	M	B	35	January,	10 months,	5 years,	good	Pneumonia of both lungs.
2	M	W	54	do	18 do	2 do	do	Erysipelas of face and scalp.
3	M	W	69	March,	4 y. 6 m.	14 y. 6 m.	do	do
4	M	W	24	June,	3 years,	9 y. do	do	Phthisis following pneumonia.
5	M	W	25	July,	18 months,	2 y. do	bad	Phthisis following pneumonia.
6	M	W	25	August,	18 months,	2 do	good.	Dysentery.
7	M	W	32	do	4 y. 2 m.	5 do	bad.	do
8	F	W	32	do	8 months,	2 do	do	Dropsy from granular kidneys.
9	F	W	29	do	5 do	8 do	good.	Dysentery following acute mania.
10	M	B	36	do	5 y. 2 m.	7 do	do	do
11	M	B	28	do	4 years,	10 do	bad.	do
12	M	B	22	September,	18 y. 6 m.	10 do	good.	do
13	M	B	22	do	12 months,	4 do	good.	Pneumonia supervening on dysentery.
14	M	B	22	do	12 months,	4 do	good.	Dysentery.
15	M	W	45	do	4 y. 3 m.	5 do	bad.	Disruption of intestine.
16	M	W	56	do	6 years,	17 y. 6 m.	good.	Disruption of intestine.
17	F	W	56	October,	12 months,	4 y. do	good.	Enteritis following dysentery.
18	M	W	50	do	4 years,	6 do	bad.	do
19	M	W	59	do	4 y. 6 m.	9 do	good.	do
20	M	W	54	do	3 years,	1 do	do	Hæmorrhage into peritoneal cavity.
21	M	B	54	November,	4 y. 6 m.	9 do	do	do
22	M	B	54	do	4 y. 6 m.	9 do	do	do

The following table is drawn up with a view of showing as far as practicable, the influence of the present system of confinement in the production of tubercular disease:

TABLE No. 3,  
Showing the health of the Phthisical Patients at the time of their entrance and discharge.

No. of case.	Period of confinement.	Health at Entrance.	Present condition	Change during Confinement.
1	18 months.	had phthisis.	doing light work,	Breath improved, certainly no worse.
2	24 years.	do	do	About the same as at entrance.
3	5 do	stout and strong.	discharged.	Failed very rapidly during last year.
4	3 do	do	do	Suppressed on pleurisy, during last year.
5	3 do	do	do	Failed very rapidly during last year.
6	3 do	do	do	Disease commenced during last year.
7	3 months.	had phthisis.	died.	Had a large cavity at entrance, went at once to hospital.
8	4 do	stout and strong.	in hospital.	Do much disease, has improved a great deal in the last year.
9	2 do	good health, no cough,	now dead.	Had a large cavity at entrance, but no change.
10	5 do	stout and strong.	died.	Suppressed on pneumonia—ran its course in six months.
11	5 do	stout and strong.	in hospital.	Suppressed on an attack of dysentery—stationary for last two months.
12	1 month.	had phthisis.	at work.	Commenced a year ago—falling very fast.
				Was at entrance some consolidation—no change.

Of these twelve cases, the last does not enter into our examination. The others will show that the present system of confinement has no particular influence in the production of tubercles. One of those who died was already far advanced in phthisis at the time of his admission. In No. 4 and No. 8, the tubercles made their appearance after attacks of pleurisy, and in No. 10 after dysentery. Of the seven remaining, it will be seen that two have improved while in the prison, and a third after a confinement of two and a half years was discharged in the same state of health as at entrance. This leaves but four cases in which there was no amelioration.

*Virginia S. P. 1849—Physician's Report.*—Since our last annual report, 738 cases of disease have occurred in the Virginia Penitentiary, 465 were admitted to hospital treatment. Among them there were 9 cases of confirmed cholera, 36 of infipient cholera, and 176 of diarrhoea of a thin and watery character, and having evidently a choleroïd tendency, and we believe that most of them would soon have manifested *decided* symptoms of the prevailing disease, if they had not been arrested by prompt and efficient treatment, from the fact that several similar cases which were not reported early, either from the ignorance or indifference of the convicts, advanced to confirmed cholera in from 12 to 24 hours—14 died. All but 4 were in imperfect health when received at the prison, and but one died from cholera, and he was an invalid during his whole imprisonment, of broken down constitution, and having so little recuperative energy that he collapsed immediately he was taken. He would have sunk under almost any attack of acute disease.

*Ohio S. P., 1849.—Warden's Report.*—The continued liability of the Penitentiary to infection from contagious diseases sometimes existing in the county jails from whence prisoners are brought, is a source of much annoyance, and may be attended with serious consequences if some measure is not adopted to prevent it. When delivered at the Penitentiary, the Warden has no discretion in the matter, but must take them into his keeping, no matter what disease the prisoners may have on them, or what the consequences are likely to be from their reception; and through the anxiety of a sheriff, who may desire to rid his jail of a pestilence, he brings prisoners to the Penitentiary, infected with disease, without considering or caring for consequences, to be confined with hundreds of other prisoners, who, from their confined condition, are liable to become infected with the disease so brought into the prison. In view of the circumstances above mentioned, we would most respectfully suggest the propriety of passing some law to meet emergencies of this character.

TABULAR VIEW OF THE FATAL CASES FOR 1849.

NAMES.	Color.		Age.	Nativity.	Occupation.		When admitted.	Health on admission.	Offence.	Years of sentence.
	White.	Black.			Before confinement.	In prison.				
G. Rowsey.....	1		M	Virginia.	Farmer.....	Farmer.....	May 6, 1843	Good.....	Murder 2d degree.....	7
W. Bailey.....		1	M	do	Shoemaker, Shoemaker,	do	June 2, 1847	Imperfect.....	Forging iron papers.....	Life.
N. Weldon.....		1	M	do	Blacksmith, Blacksmith,	do	May 26, 1840	Good.....	Burglary and larceny.....	6
J. W. Wilson.....		1	M	do	Baker.....	do	April 30, 1848	Imperfect.....	Grand larceny.....	6
A. Bartles.....		1	M	do	Laborer.....	Quillier.....	Sept. 30, 1845	do	Maiming.....	6
J. Meredith.....		1	M	do	Farmer.....	do	May 27, 1846	do	Burning a barn.....	6
J. McCreath.....		1	M	do	Farmer.....	Shoemaker.....	Sept. 22, 1840	do	Whirl stabbing.....	6
W. Dunne.....		1	M	do	Blacksmith.....	do	Sept. 22, 1840	do	Stealing.....	10
W. Seegal.....		1	M	do	Shoemaker.....	do	Sept. 22, 1840	do	Stone breaking and stealing coal.....	4
S. Sherris.....		1	M	do	Farmer.....	Axe maker.....	Oct. 17, 1848	Good.....	Same breaking and stealing coal.....	2
J. Nemo.....		1	M	do	Farmer.....	do	Nov. 27, 1845	Imperfect.....	Vol. manslaughter.....	9
W. L. Wilkinson.....		1	M	England.	Weaver.....	Blacksmith.....	Sept. 24, 1847	do	Grand larceny.....	9

TABULAR VIEW OF THE FATAL CASES FOR 1849.—(CONTINUED.)

	Time of death.	Fatal disease.	Time in pri- son.		Habits.	Social state.
			Y.	M. D.		
G. Rowsey,	Oct. 11, 1848.	Typhoid fever,	5	5	Temperate,	Married,
W. Bailey,	Feb. 7, 1849.	Scrofula,	0	6	Temperate,	Single,
J. Dalton,	June 6, 1849.	Scrofula,	0	6	Temperate,	Single,
A. Barless,	June 18, 1849.	Convulsions,	0	11	Temperate,	Married,
J. Meredith,	June 24, 1849.	Typhoid fever,	0	13	Temperate,	Single,
J. McGreath,	July 1, 1849.	Brain fever,	0	10	Temperate,	Married,
W. Dungey,	July 24, 1849.	Chronic diarrhœa,	3	4	Intemperate,	Single,
W. Sneed,	July 25, 1849.	Cholera,	3	2	Intemperate,	Single,
F. Heinger,	July 27, 1849.	Cholera, of the lungs, stomach and bowels, occurring during con- valescence from collapsed cholera.	9	2	Intemperate,	Married,
S. Shiffet,	Aug. 5, 1849.	Hemorrhage from the bowels during brain fever,	0	9	Intemperate,	Married,
J. Nemo,	Aug. 22, 1849.	Consumption,	3	28	Temperate,	Married,
W. L. Williamson, Sept.	30, 1849.	Debility after cholera and bilious diarrhœa.	3	11	Intemperate,	Single,

Ohio S. P., 1849.—Physician's Report.—For the period of eight months, commencing with the 1st of December last, to the 29th of June, the health of the prisoners was more than usually good. For a few days prior to the 30th of June, there was among the inmates considerable intestinal derangement, but not of an alarming character.

It may not be improper to remark here, that the cholera had pre-vailed fatally in this city for eight or ten days previous to its appearance in the prison.

The first unequivocal cases occurred on the 30th of June, from which time events transpired that spread alarm, consternation and death, among the panic-stricken convicts, and cast a deep gloom over our city and State.

On the morning of that day, at early dawn, in the then temporary absence of the medical attendant, I was summoned to the prison; two of the convicts had been stricken with the cholera. The disease had been upon them since the day previous, and so deeply had it fixed its poisonous effects, that no human skill could avert its fatal consequences: the livid countenance, the contracted brow, the sunken eye, and the death sweats, proclaimed in unmistakable terms the alarming character of the disease, which was now within the walls of the Penitentiary; these two died shortly. Seven others, in the milder stage of the dreadful malady, presented themselves for treatment on the same morning, all of whom recovered; but the strong tendency to diarrhœa, and the panic among the inmates of the institution were truly alarming. During the day we prescribed for fifty-seven convicts, the most of whose cases were diarrhœal; but by early and careful treatment, none except the first named cases assumed a dangerous form.

July 1st, 62 new cases, mostly diarrhœal, no deaths; 2d, 63 similar new cases, no deaths; 3d, 54 new cases, 2 deaths; 4th, prescribed for 151 convicts, 80 of these had copious rice water ejections, no deaths; 5th, prescribed for 138, 44 of whom were new cases, one death at night; 6th, 30 new cases, 3 deaths; 7th, 27 new cases, 5 deaths; 8th, 20 new cases, 8 deaths; 9th, from this period no record of admissions, 12 deaths; 10th, 22 deaths; 11th, 16 deaths; 12th, 12 deaths; 13th, 7 deaths; 14th, 6; 15th, 6; 16th, 3; 17th, 2; 18th, 1; 19th, 1; 20th, 3; 21st, 1; 22d, 1; 26th, 1; 30th, 1.

Cholera

In large cities, in camps, and in crowded public institutions, when the epidemic has once broken out, it prevails to a more alarming extent, than in districts thinly populated.

This may be owing to the aggregation of a large number of human beings, and the consequent deterioration of the atmosphere. Be this as it may, after the cholera had prevailed here eight or ten days, and the old hospital had been crowded with the sick and dying, not more than two or three, either of citizens or prisoners, officers or medical attendants, escaped an attack; especially those who had been occupied in this part of the prison.

The deleterious agent which produces epidemic disease being present, the system must be in a condition susceptible to its influence, before it will be developed; and the convicts, both morally and physically, were precisely in such state; depressed by long confinement; inhaling, most of their time, an unhealthy atmosphere; shut out, not only from the world, but from the contemplation of its enjoyments; brooding over their misfortunes, as well as the wrongs they have done to others; meditating in gloomy solitude the hopeless future with the dreaded pestilence clearly in view, and the almost certain prospect of sickness or death; and death, too, within the walls of the Penitentiary!

The daily average of sick and invalids in the hospital of the Ohio Penitentiary, for the months of August, September, October and November, 1849, viz: August 62, September 39, October 36, November 51, daily. Average for the 4 months daily, 46; days lost by sickness, 5,807; deaths 2.

*Ohio S. P.—Warden's Report.*—Early and energetic precautionary means were resorted to for cleansing and purifying. So thorough and seemingly effectual were these measures, so unusually good the health of the prison, that the officers of the prison were animated with the belief that they should escape a visitation of that terrible scourge which was desolating many portions of the country.

*Tennessee S. P., 1849—Physician's Report.*—It seems to be the policy of the State to appropriate all the labor of the convicts which is available, to the erection of that public edifice. In the meantime the interests of the penitentiary seem doomed to suffer the inconvenience of that essential to their comfort when sick, a comfortable

hospital. I have no doubt this, in part, has been the cause of an increased mortality in the prison, eighteen having died in the last two years, making four and a half per cent per annum, which is more I believe than has occurred before except under a visitation of cholera. This season we have had no cholera in the prison, but bowel complaints have been more general, and of a graver nature than usual.

*Indiana S. P., 1849—Physician's Report.*—There have been admitted into the hospital 574 cases. The diseases have been of the common type, with the exception of the small pox. This dreadful epidemic broke out mysteriously, during the summer, and we did not get rid of the disease, though it assumed a mild form, for a long time. Twelve deaths have occurred during the past year. Seven of that number died of small pox, two of cholera, and the others of the ordinary diseases.

I am happy to say that the present executive, prompted by humanity, and the necessity which a personal examination disclosed for a hospital, has ordered one to be erected immediately, communicating with the cell house, which, when completed, will ameliorate the condition of the sick convict, and meet all the present demands in that regard.

The good order, which the discipline you have established and enforced, since you came into office as warden, has changed the aspect of things, for the better, in every department of the prison. The health of the convict is promoted, by attention to personal cleanliness, order, and duty.

*Illinois S. P., 1849—Physician's Report.*—There is no occasion for special remark concerning the diseases in the prison; they are those common to the climate, and yield as readily and surely to remedies as in my other practice. Many of the convicts are broken in constitution when they enter the prison. Those who come in sound healthy men generally preserve their health as fully as if they were out of the prison.

*Michigan S. P., 1849—Physician's Report.*—The health of the prison was good during the winter, and there was nothing to claim particular attention in the hospital department until the latter part

of March, when the colored convict Jackson was taken with an hemorrhage from the stomach which proved fatal in a few days.

A post mortem examination was had a few hours after death, which exhibited an ulcer of considerable extent in the mucous coat of the stomach. The blood vessels of the stomach were highly injected, and the blood appeared to have escaped from a blood vessel uncaped by the ulceration.

This is the only death which has occurred in the prison during the past year.

The establishment has not, however, been exempt from sickness, and in the latter part of the season of a severe form.

The diseases of the summer months were principally fevers of an intermittent and remittent type, and such as were met with on the outside of the walls.

In the latter part of July the prevailing epidemic began to show itself in the more frequent occurrence of cases of cholera morbus and diarrhoea. Many of the cases were severe, and so many were under the epidemic influence for a time as to seriously affect the business operations of the prison.

*Georgia S. P., 1849—Physician's Report.*—We have had more sickness than during the previous year. The measles made its appearance in March, and proved uncommonly malignant and destructive. On the 8th of that month, Thomas Roberts died of that disease, and on the 18th, James L. Lampkin, also sunk under it.

In the month of April, several cases of typhoid fever occurred. On the 29th, John Fry died of it, but so far, there has been no further mortality from this cause. There have been in all, twenty cases of this disease in the penitentiary and amongst the guard, in the adjoining buildings.

For several years there has been a frequent recurrence of typhoid fever amongst the guard and convicts, who slept in the cell buildings, and in houses near the south-east corner of the penitentiary wall. I have considered this part of the buildings illy ventilated, and in other respects badly arranged in regard to health. The tan

yard which is so arranged as to produce a great excess of moisture in this quarter, cannot be otherwise than unfriendly to health, and the men who labor in it are decidedly more unhealthy than the rest.

*New-York S. P.—Inspectors' Report.*—Of the convicts discharged from Sing Sing prison during the last year, as will be seen by the report of the physician, a larger number went out in good health than were so received; and of those received in bad health, a very small proportion were so discharged.



State of Maine

TABLE C.—FATAL CASES.

DISEASE.	Maine, 1848.	New Hampshire.	Vermont.	Massachusetts.	Rhode Island.	Connecticut.	Auburn.	Sing Sing.	Clinton.	New Jersey.	Western Penitentiary, Pa.	Maryland.	Virginia.	Tennessee.	Georgia, from 1817 to 1849, inclusive.	Indiana.	Ohio.	Maine, 1849.	Illinois, 1848.	Michigan, 1849.	Eastern Penitentiary.	Kentucky.	
Apoplexy.....	1																						
Acidities.....																							
Consumption.....																							
Consumption and dysentery.....																							
Consumption and affection of heart.....																							
Congestion of lungs, &c.,.....																							
Cancer of stomach.....																							
Cancer of bowels.....																							
do rheumatism and consumption.....																							
do irritation of stomach and bowels.....																							
do diarrhoea.....																							
Cholera.....																							
Cholera infantum.....																							
Convulsions.....																							
Destruction of spinal marrow.....																							
Dropsy.....																							
Dysentery.....																							
Debility.....																							
Diphtheria.....																							
Dyspepsia.....																							
Erysipelas.....																							
Exhaustion of nervous or vital power.....																							
Enteritis.....																							

Febris,.....																							
Febris cerebri et hem. enteritidis.....																							
Febris typhoidea.....																							
Febris constrictiva.....																							
Hæmorrhage.....																							
Hydrop. pericardii.....																							
Idiocy.....																							
Inflammation of stomach.....																							
Measles.....																							
Pneumonia.....																							
Paralysis.....																							
Phthisis.....																							
Papillation of heart.....																							
Rheumatism.....																							
Scrophulous affections.....																							
Small pox.....																							
Softening of intestines.....																							
Stagnation of the blood.....																							
Strangury.....																							
Swelling of the face.....																							
Other ordinary diseases.....																							
By bursting of glands,.....																							
By being caught in engine.....																							
Disease not given.....																							
Strang hernia.....																							
Chronic inflammation of bowels.....																							
Debility.....																							
Fracture of leg.....																							
Peritonitis.....																							
Bilious Fever.....																							
Cholera.....																							
Hæmorrhax.....																							
Paraplegia.....																							
Intermittent fever.....																							
Disease of brain.....																							

II. REFORMATION.—Which may be so sub-divided as to include under separate heads the classification of prisoners according to age, sex, physical condition, character and numbers; instruction, religious and ordinary; moral treatment, isolation and intercourse; rewards and punishments; the visitation of friends and pardons.

### 1. CLASSIFICATION.

*Sing Sing S. P.*, 1849.—Warden's report.—There is one fact which has arrested my attention, and which I deem of sufficient importance to demand your consideration. Many of these convicts possess good dispositions, are obedient to the rules, and are far from being irreclaimable in their habits and conduct. Others are so perverse in their natures, and so corrupted by neglected education and evil associations, that they are prone to disregard every injunction of authority, and seem to delight in making trouble, and provoking strife and contention among their companions. These exert a very injurious influence upon the better class, as well as upon the discipline of the prison. Could the prison be so arranged as to enable us effectually to separate these classes during their entire term of sentence, it would materially lessen the difficulties attending its management, and would redound to the ultimate benefit of the convicts.

*Georgia S. P.*, 1849.—Keeper's report.—The law requires female convicts to be kept apart from the males. We have no other mode of doing this, than by confinement in their cells. This operates so nearly like solitary confinement as to render its legality doubtful, in cases, where that kind of punishment is not prescribed, by the judgment of the court. Unless some better arrangement is made for the accommodation of female convicts, I would recommend, as a partial remedy, that the sentence of such convicts be restricted to the lowest term allowed by law.

### 2. INSTRUCTION.

*New Hampshire S. P.*, 1849.—Chaplain's report.—Several who a year since were unable to read but imperfectly, or not at all, are reading with much satisfaction and profit, the Bible and other good books.

Considerable progress has been made in writing, arithmetic, &c., by several. Probably in no prison in our United States are there found so few who are unable to read or write.

*Connecticut S. P.*, 1849.—Chaplain's report.—Some who came to this institution during the past year, like many who came before them, were unable to read. They have, however, under the instructions here enjoyed, made commendable proficiency in this department of science. It is an obvious and striking fact, that a very large proportion of those who come here, are not only victims of vice and crime, but that they are exceedingly ignorant. It has been truly said, that intemperance contributes largely towards the filling of our penitentiaries and almshouses; but it should not be overlooked, that ignorance is also the mother of a large progeny of crimes. Those prisoners who are the most intelligent and well educated, almost universally conform most readily and cheerfully to the rules and discipline of the prison; while those of the opposite character are usually the most incorrigible and difficult to manage or instruct.

*N. Y. Inspectors' Report*, 1849.—At *Sing Sing* prison, the number of convicts receiving instruction in the branches of a common English education, at the date of the report, was 170, or about 1 in 4 of the total number.

At *Clinton* prison, the number under instruction the last quarter was 19, or about 1 in  $6\frac{1}{2}$  of the whole number.

At *Auburn* prison, the number under instruction during the last year was 191, or over 1 in 3 of the whole number.

The provision in the prison law of this State for the appointment of teachers to give instruction in the branches of a common education, is one of decided philanthropy, and of great value to a large portion of the convicts who have, before reaching the prison, been educated only in vice and debasement. This department seems to have been faithfully conducted, under the supervision of the chaplains of the prisons, who have sedulously endeavored to inculcate in addition, that moral and religious instruction, which is of still far higher value.

*N. Y. Auburn S. P.*, 1849.—Chaplain's Report.—We have endeavored to spend the greater portion of our time with those unable to read, in order that they might be better qualified to attend the Sunday-school, and competent to read the Bible. Arithmetic has been taught to a considerable extent.

Writing has not been entirely neglected, though owing to the inconvenience in teaching, little has been done.

It is with no small degree of satisfaction that we are able to report a much larger number of men taught than last year.

Whole number taught since January, 1849, 191; of these there are now under instruction, 66; discharged from prison, 11; exchanged for new men, 114; taught in reading, 96; arithmetic, 89; writing, 13; did not know the alphabet, 11; knew alphabet, but unable to read, 7; could read a little, 78; knew nothing of arithmetic, 61; had some knowledge of do., 28.

*N. Y., Sing Sing S. P., 1849—Teachers' Report.*—The number of convicts under our instruction at the present time is about 170, and, in general, a very commendable anxiety seems to prevail among them to profit from the instruction afforded. In some instances decided improvement has been made; indeed, considering the unfavorable circumstances under which they are placed, we think we are justified in saying that extraordinary proficiency has been attained. Undoubtedly, much more gratifying results would be exhibited could lights be so arranged that each convict could share in their benefit. The portion of time we are able to spend with them is so limited, and that which is left to them after attending their daily duties, is also so limited, that any very great general improvement cannot reasonably be expected.

If lights could be afforded, so that they could study in the interval between being locked up, and the time when they are required to go to their beds, we might calculate on a more general proficiency.

*Chaplain's Report.*—In the female prison there has been no school in successful operation during the last year. The Legislature made special provision for a school, and an instructress was accordingly appointed, and the work was attempted. But nothing worth naming was accomplished. Very few of the women, who most need instruction, appreciate the importance of it. The greater part are disinclined to apply themselves to books.

*Matron's Report.*—The instructress employed by you is faithfully devoting herself to the improvement of such convicts as are capable of learning and who are willing to be taught. She is now teaching classes in spelling, reading, writing, and arithmetic. Many of them appear anxious to learn, and are making considerable improvement.

*New-York, Clinton S. P., 1849—Chaplain's Report.*—Number of scholars for the last quarter, 19; branches taught, reading, spelling, and arithmetic. For learning to write, the scholars now have no other means, but the use of slates and pencils. Benches were prepared for teaching this branch some time ago, but permission for their use was given only for a very short time. This branch, therefore, is neglected, although the call for it is often and quite earnestly made. The statute on education reads thus: "It shall be the duty of such instructors, in conjunction with, and under the supervision of the chaplain, to give instruction in the useful branches of an English education to such convicts as, in the judgment of the warden, or the chaplain, may require the same, and be benefited by it." Can writing be excluded from these useful branches? An education which leaves a man incapable of writing a note, or even his own name legibly, would hardly, as it seems to the writer, answer the intent of this law; nor can he yet see why this branch may not, to some extent, be taught here, though it in common with every other good effort, must require some money, time, and attention.

The progress of the school has equalled our expectations.

In the former part of the year, all convicts who desired were permitted to appear in the afternoon of the Sabbath in the chapel, to receive instruction from the bible, in classes, the number averaging from 80 to 100. In this exercise Mr. Throop, one keeper, sometimes two, assisted. Early last spring, this manner of teaching the bible was, by your direction, ordered to cease, as unadvisable, and biblical instruction to be given at the cell door. In this new attitude of affairs, the entire labor of teaching the scriptures devolved on myself alone; a work requiring from four to five Sabbaths to give each individual the same amount of instruction as, on the other system, was generally given in two hours. Nevertheless, I have done what I could upon this new arrangement, spending commonly about three hours a Sabbath.

*New Jersey S. P.—Keeper's Report.*—During the year, I have supplied seventy-two prisoners with facilities for writing. Three-fourths of the number, at least, have well improved the privilege. Some of them could before write very imperfectly. Many others had never learned at all the use of the pen. Few scholars are found to give better attention than they have done to the lessons imparted. From entire ignorance of the art, several have learned to write, not merely a legible, but a fair and easy hand.

Spelling books have been furnished to *twenty-seven* prisoners. In this elementary branch of education, my limited efforts have produced some good results. One man, from a mere acquaintance with the letters of the alphabet, has learned, by perseverance, to read with a tolerable degree of fluency, in a period of three months.

*New Jersey S. P.*—*Moral Instructor's Report.*—I have continued my visits once a fortnight to all the prisoners, taking the two corridors on alternate weeks. In addition to this, I have nearly every week paid occasional and special visits, as special calls have been made, or special duty has seemed to require my attention.

In this stated routine, I go provided with books from the library, with pens, ink, paper and slate pencils. My usual distribution of books is two volumes to each prisoner; sometimes one satisfies, and sometimes, on the part of the more intelligent and studious, three or four are desired. I seek, and for the most part successfully, to gratify individual tastes in the selection. Nothing is lost, in consequence, to the productive labor of the prison; for I think I am sustained in the opinion, that, as a rule with rare exceptions, the most diligent readers are the most industrious laborers.

*Western Penitentiary S. P.*, 1849—*Moral Instructor's Report.*—Fifty-four have been discharged by expiration of sentence, and fifteen by pardon. All of these were able to read, and most of them to write, when they left the prison. The majority gave encouraging evidence of their future good conduct. They had all received enough of moral teaching to keep them in the path of rectitude, if they felt disposed to walk in it. Most of them too had learned trades, by which they could make for themselves an honest and comfortable living. Letters, some of which the inspectors have seen, have been received from many of them, giving evidence that the lessons they learned in a prison-house are profiting them in the walks of social life. There are, also, living in and about this city, discharged convicts, known to the officers of this prison, who are industrious and honest in their habits of life, and respected members of God's church.

Of the whole number of prisoners, sixty-nine could read, and forty-nine both read and write, at the time of their reception; of the remaining fifteen, all have learned to read with considerable fluency except three—the three make slower progress in learning. Many have learned to write, and have written to their friends since their imprisonment.

Forty-seven of those received are unmarried, and thirty-seven have families. Sixty-eight of the number received were, by their own confession, addicted to habits of intemperance; sixteen say they were *moderate drinkers*.

#### SABBATH SCHOOL.

*Massachusetts S. P.*, 1849—*Chaplain's Report.*—The Sabbath school, instructed by benevolent and competent teachers from the churches in this vicinity, has been maintained, during the period of time prescribed by law,—and it is hoped, with no small profit to those who have availed themselves of its privileges.

*Connecticut S. P.*, 1849—*Chaplain's Report.*—The Sunday school has been sustained throughout the year in the same manner, and by the same teachers, as it was during the last year; and a deep interest has apparently been taken in the instructions given. Some who are now here, and others who have been discharged, have been taught to read respectably.

*N. Y. Inspectors' Report*, 1849.—The influence of the sabbath school and the chapel, in prison discipline and management, as well as in their impress upon the future destinies of the convicts, cannot be estimated too highly. And the prisons have been fortunate in enjoying the services of competent, zealous and faithful religious teachers.

*Auburn S. P.* 1849—*Warden's Report.*—The sabbath and evening schools, under the charge and direction of the chaplain, are productive of much good. Many convicts, who, on their committal were unable to either read or write, have made decided progress, and will leave the prison with minds improved; and it is hoped will profit by the instruction they received while here.

*Sing Sing S. P.*, 1849—*Matron's Report.*—Our Sunday school forms an interesting part of my duties, in which I am aided by the assistant matrons and the lady of the warden of the male prison. Immediately after breakfast the convicts are assembled and formed in classes according to their several capacities. Those who can read acquire their lessons promptly, and nearly all of them manifest much interest in bible reading and the explanations of their teachers. These exercises continue until half past ten in the morning, when they are summoned to attend the chapel service.

*Ohio S. P. 1849—Warden's Report.*—The sabbath school, which was discontinued during the prevalence of the cholera, has again been organized. There is a large supply of young teachers; men having generously volunteered for that service. The sabbath school is now in a very prosperous condition, and is an instrument of much good to the prisoners. A large number of men and boys, who came to the prison unable to read or write, are now learning both, and many of them are making a handsome proficiency.

### 3. RELIGIOUS EXERCISES.

The moral instructor of the Western Penitentiary, Penn., states that each sabbath and also on the days recommended by the public authorities, to be observed in religious exercises, the gospel has been preached to all the prisoners.

The chaplain of the Auburn prison gives the following account of the religious exercises in that prison: On sabbath mornings and on Thanksgiving and fast days, all the convicts, except the sick, have been assembled in the chapel for religious worship.

*Tennessee, 1849—Chaplain's Report.*—During the period in which I have been a regular Sunday visitor to the prison, I officiated the first year but once a day; but by your request last summer, I have since then officiated twice a Sabbath.

*New Hampshire, 1849 Chaplain's Report.*—Our religious services have been held every Sabbath during the year, and also Thanksgiving and fast days.

*Connecticut, 1849—Chaplain's Report.*—The religious services on the sabbath have been regularly attended, in which a very general interest has been manifested by the prisoners, Reading the scriptures, singing and prayer in the hall, and in the female apartment, has been attended as heretofore, and with much apparent profit. I have also uniformly attended a religious exercise in the female apartment on the sabbath.

*Maryland S. P., 1849—Warden's Report.*—On each sabbath morning, divine service is held in the chapel, which is very cordially attended by the male prisoners, who listen with attention, and appear to be solemnly impressed with the importance of the appropriate dis-

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courses delivered by the several ministers, who, with such becoming and pious devotion, attend to their spiritual wants. During the other days of the week, the prison is visited by ministers of several denominations of Christians. These reverend gentlemen have classes formed among the prisoners, who alternately meet in the chapel, where they are lectured and counseled upon their moral and religious duties by those worthy servants of God, whose zeal and interest in behalf of their several classes cannot be too warmly commended, and whose exertions, it is devoutly to be hoped, will result in a fruitful harvest of reformation.

*Maine, 1849.—Chaplain's Report.*—In addition to the sabbath school we have two services in the chapel on every sabbath. Owing to the prison regulations,—as well as some interest on the part of the prisoners themselves,—order, decorum and solemnity are maintained during these services. It is believed that the instruction imparted is adapted to them in all the variety of circumstances with which they are connected.

*Massachusetts S. P. 1849—Chaplain's Report.*—The chaplain would remark, that it has been his constant endeavor, faithfully to discharge the duties devolving upon him. With what success, others must judge, and time must prove. He is sorry that he cannot speak of results more marked and more cheering than appear in the general aspect of things; still he cannot doubt that the instructions, both publicly and privately given, on the Sabbath, and from day to day, have resulted in good to very many.

*Illinois S. P. 1849—Inspectors' Report.*—The amount appropriated for the purpose of procuring divine service in the prison, not being sufficient to secure the services of a suitable person to devote his time to the convicts as chaplain, we made an arrangement with several clergymen of the city to officiate by turns, and we believe that service has been performed with regularity, and, we have no reason to doubt, with benefit to the convicts, and respectfully suggest the continuance of the same or a larger appropriation.

*Eastern Penitentiary, Penn.—Moral Instructor's Report.*—In reference to the duties devolving immediately upon me, I have the satisfaction to state, that in the ministrations of the sabbath I have been aided, as usual, by ministers of different religious connections, to such an extent that three hundred and twenty-one sermons and religious addresses have been delivered, averaging fifty-three services

to each corridor in the course of the year. It gives me pleasure to say, that respectful attentions uniformly given to these lessons of instruction on the sabbath. While I have never known an instance of any unfavorable influence produced by the presentation of divine truth to the mind; in many instances, favorable impressions are made, which, to some extent, it is hoped, will be productive of the "fruits of righteousness in them who are exercised thereby." The course of duty prescribed by a resolution of the Board, to visit each prisoner at least monthly, has been performed. My regular or stated visits have amounted to three thousand three hundred and seventy. But many additional visits, of a general character, have been made, which it is not always convenient or necessary to record. Extra visits to prisoners at entrance, and when about to be discharged, will alone amount to two hundred, and these are often such as will occupy much time. In addition to these, visits in connection with the distribution of books, conducting the correspondence of such prisoners as are unable to write their own letters, and a variety of little services conducive to their comfort, will swell the amount to four or five thousand visits annually, and fully absorb all the time that can properly be devoted to the service.

*Ohio S. P.—Chaplain's Report, 1849.*—The regular preaching of the gospel on the sabbath has been diligently attended to.

*New Jersey S. P.—Moral Instructor's Report, 1849.*—The general plan of visiting and instruction, has been the same as that reported a year ago. The religious services have been conducted in both corridors throughout the year, with but one day's interruption, and that caused by a domestic affliction. After appropriate devotional exercises, I have generally occupied a half hour in each corridor with a sermon or lecture, striving always to render my teaching explanatory of revealed truth, and my exhortations practical and direct.

*New Hampshire S. P.—Chaplain's Report, 1849.*—Religious services have been held every sabbath during the year, and also on Thanksgiving and fast days. Our bible classes promised much for the convicts, most of whom attended. Each convict has been supplied with a newspaper once a week, care being taken to select such as a good man would be willing to introduce into his family. Much pains have been taken to excite a love for reading, by the weekly selection of such books as are suited to the taste, understanding and wants of each convict. Personal and private conversation is also deemed indispensable. The chaplain should know every man. He

must, with a sincere and generous sympathy, enter into every one's peculiar *griefs and wants*, and the prisoner must know that his past history and present state are sought out, not for the unworthy purpose of curiosity, but that instruction and comfort may be shed forth on the dark mind and the sad heart.

*Of the results of the labor of the past year, we cannot of course, speak with certainty.* A uniform seriousness and evident attention manifested by all, encourage the belief that religion is at least respected, and there are not wanting proofs that the gospel of Christ has been (even in our congregation) the power of God unto salvation.

The aged man who died in January, departed in great peace of mind, most confidently commending, with his dying breath, his soul into the hands of his Redeemer.

There seems to be an increasing degree of hope or confidence on the part of our convicts, and the idea—I may yet (after all that is past) *be something, do something*, the favor of God and man may yet be secured—is more generally entertained.

*Maine S. P., 1849—Chaplain's Report.*—The convicts have behaved themselves well, and are remarkably solemn and attentive during divine service, of which we have held two each Lord's day.

Our sabbath-school the past season contained a larger number than usual, and many of them manifested an interest in bible instruction.

*Chaplain's Report, 1849.*—The chaplain visits the prisoners every week in their cells, where there is every facility of imparting and impressing religious truth. The visits are received with great apparent kindness and interest.

*New-York, Auburn S. P., 1849—Chaplain's Report.*—The teachers appointed for the purpose of giving instruction in the elementary branches of education, have faithfully, and it is believed, successfully discharged their duties.

Of those who could not read, or who could read but very little, about fifty have been so far advanced as to be able to read the bible with considerable facility; and nearly as many more are making slow, though we trust, sure progress toward the same attainment. About one hundred—chiefly young men—have also been instructed

in the fundamental principles of arithmetic. In general they have manifested great interest in these studies, and made very respectable progress. Great numbers apply for instruction, who cannot be taught for the want of lights and time to attend to them. As the teachers, under present arrangements are obliged to instruct their pupils singly through the grates of the cell door, they can teach but a very limited number. The advancement made by those who are taught, is also very moderate as compared with what it might be in circumstances favorable to the classification of their pupils.

Religious tracts have been freely distributed on the Sabbath, and are always gladly received. It is believed that the revelations of the future, will exhibit numerous instances in which these unpretending messengers have made most salutary impressions. With the exception of three months, from one hundred and fifty to one hundred and seventy-five convicts have been assembled every Sabbath morning in the chapel, chiefly for the purpose of studying the bible. There being an unusually large number of students in the seminary, we have had no difficulty in obtaining a full supply of most competent and zealous teachers.

With few exceptions, the hospital has been visited daily. From one to three hours every week day evening, and from three to eight hours on the Sabbath, have been devoted to personal conversation with the prisoners at the door of their cells.

While there are some of the more advanced in life who give encouraging evidence of sincere contrition for past sins and of an honest purpose to reform, another year's experience has greatly confirmed me in the opinion, that it is to the *young men* we are chiefly to look for success in our labors. A careful investigation shows that of the 609 convicts now in prison, 333, or more than  $\frac{1}{2}$ , were under 30, and 59 were under 20 years of age at their conviction.

*N. Y., Clinton S. P., 1849—Chaplain's Report.* A healthier sentiment in respect to the Christian religion. Infidelity has evidently lost much of its popularity in this penitentiary.

*A better state of morals.* Profane and impure talkers, chapel triflers, scoffers of sacred things in general, are diminished in number.

*A few old hoppers have been revived, and hopefully brought to repentance.* My charitable belief is, that a few individuals, out of

many, who came here as professors of religion, have been made truly humble before their maker, three of whom have left the prison.

*It has, by the spirit of God, hopefully wrought true conviction in a few.*—Every Sabbath morning through the year, I have been present at chapel service; and, except in two instances, have preached a sermon, on both of which my desk was supplied.

*N. Y. Sing Sing, S. P., 1849.—Chaplain's Report.* My labors on the Sabbath are arduous, yet interesting. I preach twice, *i. e.*, once in each prison—attend a third service in the hospital, and spend two or three hours on the galleries, talking to the convicts at the door of their cells. The attention paid to preaching is always good and orderly.

*Tennessee S. P. 1849.—Chaplain's Report.* Whether the general character of the prisoners has been improved by religious teaching, you have better opportunity of judging than I possess. If you are satisfied that religious teaching does really elevate the standard of moral character in the prison, I trust that you will exert your influence towards having a regular chaplaincy appointed by the Legislature, in order that so large a body of men may not be left without constant Sunday services. A prison of two hundred men is a parish in itself, and requires for the sick, the dying and the penitent, the regular visitations of a clergyman. Certainly no more responsible charge could be committed to a minister of God.

The experience which my labors have given me, convinces me, that religious instruction produces upon the minds of convicts the most beneficial results. Knowing in the outset, that seventy out of the two hundred men could not read, I assumed that they were *wholly* ignorant of the Bible; and of the remainder, I suspected few possessed much knowledge of it, or they would not have been there.

#### 4. MORAL TREATMENT.

*Maine S. P. Warden's Report, 1849*—Many of the advocates of the congregate system, either willingly or inadvertently confound the terms "separate" and "solitary" as applied to prison discipline, and carry their notions of moral influences so far as almost to make the prisoner forget his crime and degradation, and to look upon himself merely as an unfortunate individual; and they often go far towards making him forget that his residence is within the walls of a prison, by furnishing extensive libraries, establishing schools, and

introducing singing and debating clubs. While all these comforts are allowed to prisoners—while they are scarcely permitted to hear of crime and its consequences—while they are led to believe that they are only required to go hand in hand with the officers, moving on the same level and enjoying about the same privileges—while they are permitted to consult their own feelings whether they will work or play, there is great danger that a premium is offered for crime.

While the inspectors would cheerfully recommend every measure calculated to improve the mind of the convict and call into action his better feelings, they cannot think that justice, either to society or the convict, requires that their condition while in prison should be better than that a majority who are at liberty, and who in many cases are obliged to contribute towards the expense of their confinement.

*New-York, Auburn S. P., 1849—Chaplain's Report.*—To teach this class of men that they are "unfortunate," rather than "guilty," is to direct their attention from all correct views of themselves, and fix their thoughts upon the alleged injustice of the law, rather than upon the criminality connected with the violation of it. To pursue this course is effectually to stifle those convictions of guilt which are essential to that repentance which lies at the foundation of all thorough reformation. Men do not repent of that for which they do not feel guilty; nor are they likely to be benefited by punishment for what they are taught to regard as mere misfortune. Punishment, under such circumstances, is felt to be unjust; and while so viewed, will not improve the subject of it.

*New-York, Sing Sing S. P., 1849—Warden's Report.*—Experience has satisfied me, that a mild yet decided and firm mode of government, in the management of convicts, is more salutary than the system which has been pursued in some of our prisons, of addressing and treating them as if they possessed no feelings which could be reached by kindness and encouragement. I have found that mild and humane treatment does much to improve the dispositions of many of the more viciously disposed—that they submit more cheerfully to the rules of the prison, and work more diligently and faithfully. Cases, however, not unfrequently occur where sympathy and kind treatment fail; and as obedience and submission are indispensable, and must be secured, such authority must be exercised in the infliction of punishment as becomes necessary to that object.

*Indiana, 1849—Moral Condition—Warden's Report.*—No Sunday school or other religious or moral institution exists in the prison. The convicts exhibit an anxiety for religious and moral instruction, and for religious, moral and interesting books.

*New-Hampshire—Warden's Report.*—Perhaps there is no prison in the world where the convict is better provided for, where his physical, moral, intellectual and religious requirements are so well supplied as in this; and probably no prison has better convicts, many improving in intelligence, mechanism and science.

*Ohio S. P., 1849—Warden's Report.*—Kindness, a principle founded in the soundest philosophy, and clearly adapted in its influence to the structure of the human mind, should be permitted to have the ascendancy in every disciplinary system, whose end is reformation, over the more savage code, which commands and insures every act of obedience by brute force. That by the operation of mildness and pity, hope may even lighten up, with its lambent flame, the cell of the convict; and the penitentiary itself cease to be a den of despair to a majority of its inmates. That the true principle of prison discipline is, degraded and criminal as the convict may be, still to recognize him as a MAN, to address him as possessing the susceptibilities of our common nature, and as capable of a destiny far above that to which his vices have degraded him. That the ingredient of hope should be thrown into his bitter cup, and he be led to aspire after better things, to form even the purposes of recovering a lost character, and a standing among men, when he shall be again permitted to mingle with them.

That the foregoing views are not mere idle theoretical speculations, incapable of practical or useful application, the history of this year's transactions will, perhaps, serve to show more forcibly than any other.

On the 30th of June, the cholera broke out in the prison, and the hospital being of insufficient capacity, the now abandoned workshops were converted into hospitals, divided into wards, and physicians and nurses appointed to each.

A large number of the guards, panic stricken, fled when their assistance was most needed, and their places had to be supplied as best they could.



At this time the strict discipline of the prison, was from the necessity of the case, relaxed. The prisoners were permitted to converse with each other. All grades of character were exhibited, from man-like heroism and stoical indifference, to the most timid, sensitive and shrinking agitation. Indeed, the situation of the prisoners was such as to weaken and overcome the ordinary fortitude of men. The impulse to flee was checked by frowning prison walls, while death and sore distress reigned on every hand. To pass through the prison yard, at this time, was a trial of heart and nerve. It was impossible to meet the eager through that gathered about at every step, and hear their piteous appeals, without emotions deep and painful. "In the name of God, sir, can we not have our pardons?" "Is not the Governor coming?" "Will not the Governor come and have mercy on us?" "Must we be kept here to die?" "Our punishment is too great!" "For the love of Jesus speak to the Governor in my behalf!" "I plead for my liberty, my life!" Others would submit more passively to the necessities of their condition, and would agree together, in case of an attack of the disease, to aid each other. At this time the prisoners entreated earnestly, importunately, and in many cases in terms of moving tenderness, that they might not be locked up in their cells, assuring me of the best behavior in return for such forbearance.

In my own judgment, as well as that of others, their condition required, as far as possible, a relaxation from the ordinary strictness of prison discipline. I therefore resolved upon the somewhat hazardous experiment of leaving them out of their cells. The number of guards upon the walls was increased, and a day and night watch constantly kept upon the walls and the roofs of the buildings.

Many feared unpleasant consequences from this relaxation of discipline, and predicted insubordination, mutiny and revolt, as the prisoners had almost unprohibited opportunity to converse with each other. Fears like these, however, happily were not realized. The prisoners generally, seemed penetrated with a deep sense of gratitude in view of the forbearance with which they were treated, and the interest which was manifested in their welfare and safety. They were very efficient and useful; in many cases bold, unflinching and persevering in administering to the wants and relief of the sick.

During sixteen days and nights this state of things continued, when no key was turned upon a prisoner, and yet the most perfect good order and subordination prevailed among them all that time.

When the proper time came for resuming prison discipline, the prisoners returned in perfect order to their cells, and relapsed into their ordinary prison habits without resistance or complaint. I regard this act itself, as the best possible commentary upon the mode adopted in this penitentiary for the discipline and government of its inmates.

Since the subsidence of the cholera, the most perfect good order and subordination have prevailed in the prison, and less punishment than formerly of any kind has been required. The survivors seem to appreciate the efforts which were made in their behalf to secure them from disease and death, and endeavor to show that appreciation, by extraordinary good conduct.

The report of the moral condition of Ohio State prison has the following:

The kindness and sympathy evinced by the warden for their welfare, has had a much more favorable effect than could have resulted from harsh or unkind treatment.

These unfortunate persons, though confined within the walls of a prison, and degraded in the eyes of the world, yet are human beings who can be actuated by a spirit of kindness or revenge, as their treatment may dictate. The kindness shown them during that trying time has had a very happy effect upon their conduct.

## 5. REWARDS AND PUNISHMENTS.

*Massachusetts S. P.*—The inspectors invite attention to the Act of the Legislature, passed at their last session, forbidding, in all cases, the use of corporal punishment in the prison. In our opinion, founded in some experience, the natural and sure tendency of such a measure, is to lower the standard of discipline among the convicts, heretofore maintained, and so essential to the good order and best interests of the prison.

The convict in prison is now in fact officially informed, that whatever acts of disobedience he may commit during his imprisonment, the severest punishment that can be inflicted upon him, is solitary confinement in his cell:—That corporal punishment is in all cases forbidden, by an act of the Legislature.

Among the proofs of the injurious effects of this law upon the government of the prison, as experience proves, is the more frequent occurrence of acts of insubordination among the prisoners, since it passed than before; and which, we think, in the absence of other known reasons for the change, is justly attributable to the existence of the law.

We would not now or ever, appear as advocates for the indiscriminate use of corporal punishment, nor ever in ordinary cases of disobedience, but only in extreme cases, when all other modes of securing obedience shall fail; and even then, we would have it administered in as limited an extent, and with as little severity as is consistent with the end to be gained by it. The very knowledge of the fact, that corporal punishment is occasionally inflicted on the convict, and may be at any time, in the discretion of the proper officer of the prison, has of itself, the effect to discourage and suppress acts of insubordination, while the announcement of the fact, that such punishment is wholly forbidden by law awakens and encourages a spirit of disobedience and misrule.

The wisest of men has placed the rod in the hand of the parent and commanded the use of it, and warned him in words of inspiration, against the consequences of neglecting it. If, then, this mode of punishment is needful in the family circle, between parent and child, in order to maintain obedience to parental authority, shall it be forbidden by law in the public prison, the crowded dwelling place of hundreds of unprincipled, turbulent and refractory spirits, who are in the daily habit of violating the laws of the prison when they can do it unobserved, and when it is supposed by them that some personal advantage can be gained by it?

The present is no time to relax the discipline of the prison. On the contrary, it is manifest that a more rigid, unwavering, and efficient course of government is called for, and must be adopted, or the interests of our institution must suffer. All its rules, regulations and ordinances must be strictly and uniformly enforced; and the whole details of government so administered and carried out, that the prison shall continue to be as it has heretofore been, a dread to evil doers. But, in order to accomplish this important end, every means necessary to be employed, which is lawful and humane, must be placed unreservedly in the hands of the proper officer of the prison, to be by him used, when, and in such manner, and to such extent as he shall, under the circumstances of the case judge best; and if he abuses his

trust, remove him from his place. But if, on the contrary, he faithfully and judiciously discharges the duties confided to him, let him be sustained and encouraged, and his arm strengthened by every needed aid.

For reasons which we do not now undertake to assign, convicts in considerable numbers, are returning to the prison, after comparatively short absences, charged with fresh violations of the law, and among them are some of the most hardened and accomplished veterans in crime that ever tenanted a prison, or infested a community. These accessions of hardened offenders, whose whole thoughts, plans of operation and propensities, are turbulent and aggressive, together with an increasing number who come to us for the first time, admonish us of the necessity of visiting every offence, whether aggravated or trivial, with certain and merited punishment. Nothing less will be sufficient to calm and reduce to steady obedience, the surges and heavings, so to speak, of that restless and perverse mass of mind with which we have to do.

Punishment by solitary confinement in the cell, is not only far less effectual in securing obedience and deterring from crime than is corporal punishment, but is also, liable to other weighty objections. A man thus shut up and secluded from the world, a living tenant, as it were, of the tomb, deprived of air and exercise, and of the light and genial influence of the sun, so essential to his well being, can hardly fail to suffer in health of body and mind, if his confinement be protracted for any considerable length of time.

There are many convicts in the prison, who prefer solitary punishment to the ordinary discharge of their duties, in their several departments of labor, and even for a protracted period of time.

One man remained in his cell forty-five days, and another sixty-six days, during the six months next following the exclusion of corporal punishment from the prison.

Some, and perhaps many, may be tempted to rebel against the rules and regulations of the institution, for the sake of incurring the penalty.

For the first six months of the past year, corporal punishment was inflicted on nineteen convicts, and the whole number of stripes imposed was eighty, being an average of a little less than four to each:

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and thirty-four convicts were punished by solitary confinement, for different periods, amounting in all, to one hundred and thirty-seven days. For the last six months, when solitary punishment alone was administered, eighty-nine convicts were punished by solitary confinement, the whole aggregate time being five hundred and forty-five days. If, then, six months gives an aggregate of five hundred and forty-five days of solitary punishment, which occasions the absence of convicts from labor the same length of time, twelve months would give an aggregate of one thousand and ninety, being the whole number of days, in three years, wanting five, and consequently equal to the entire labor of a single convict for the same time. This, we think, may be looked upon by the public, as rather a startling result, and one to be provided against if practicable. And it will be remembered, that while the labor of the convicts is thus suspended, and all income from their earnings ceases, they themselves are supported by the State, at a cost of no inconsiderable amount.

It is to be hoped that the interests of the State will not be considered paramount to the reformation of the convict.

By an Act of the last Legislature all corporal punishments in the State prison were abolished, and a system of solitary confinement enjoined, as the only punishment to be inflicted. In other prisons, I believe, where corporal punishment is forbidden, chains, and balls, and cold water are resorted to, as well as solitary confinement. But here the only punishment allowed, is solitary confinement, and consequently, a larger number of solitary punishments are recorded, than heretofore, under my administration.

Since the abolition of corporal punishment the prison has become full to overflowing, and there are now here, more bad and desperate men than I have ever known before;—men full of energy, and determined to escape from confinement if possible.

When it was first known to the convicts that corporal punishment was abolished, a disposition for a short time, was evinced by some of the worst men, to disorder and bravado, and several were obliged to be subdued, by long and severe confinement. Yet, notwithstanding, I have been able, by firmness, kindness, and patience, to preserve a state of general good order, industry, and propriety among the convicts. I have always felt a sincere desire to do them good, and make them happy, and they in return, have always, with the

exception of only a few, evinced a disposition to please me, by a willing and cheerful submission to the laws of the prison. We have now learned to govern without stripes, and I have reason to believe, that less of solitary punishment will hereafter be needed. I always abhorred the infliction of stripes, and never inflicted them without regret. It is a barbarity which I trust, advancing civilization will everywhere discard, and I hope the government of this prison will never be compelled to resort to it again. The moral power of our example, if we succeed without the lash in governing this great prison, filled with the worst of men, will tell everywhere in favor of humanity, and will serve as an argument unanswerable, in favor of the backs of our fellow citizens in the navy and army. For if murderers, incendiaries, ravishers, robbers, burglars and felons, can be governed by hundreds together, in our prisons, without stripes, may not our fathers, brothers and sons, while in the service of our country, be held in control without the use of the lash? I know that corporal punishment does sometimes operate powerfully in subduing an intractable and brutish disposition. The torture of the cat inflicted upon the bare back, raising the skin and drawing the blood with every lash, is enough to subdue the stoutest will. It acts like one of the heroic remedies in medicine, quick and powerful, and therefore the governors of prisons are constantly tempted to resort to it more and more, until all other punishments are laid aside as inefficient, and the lash resorted to alone, as the great and universal panacea for the cure of all prison disorders. To this end do all things tend in a prison where the lash is allowed. The conduct of convicts is often such as to excite the angry feeling of the warden or the officers, and then, the first impulse is always to blow. I have no doubt, that more stripes have been inflicted in prisons to gratify the resentment of officers, than for all other causes put together. No one but the warden of a prison can know how many temptations are constantly presented for the use of the lash. The convict receives his punishment at once, and returns to his labor, his time is saved, and the pecuniary interest of the prison is enhanced. The resentment of the officer against whom the prisoner has offended, is gratified, and the subordinate shows himself pleased with his superior;—but where the lash is allowed, no punishment short of it is always satisfactory, and grumbling, and evil predictions are heard in the guard-room. This power has been placed in my hands several years, but I would not entrust it in the hands of another, knowing how sure is the growth of severity in a situation like this, and how much there is here to harden the heart, and render it callous to human suffering. I have always striven to resist these influences with

all my power. For I believe there is no evil more dreadful than the loss of affection for our kind. When I entered upon the discharge of these duties, I prayed that God would enable me to administer the government of the prison in accordance with the great law of humanity, promulgated by the Saviour, to do by others as I should wish to be dealt by if I were in their situation. And I have always found, that the nearer I have been able to keep myself and others up to the true meaning of this law, the more successful has been the government of the prison. I have often announced to the convicts my resolution to govern by this precept, and have frequently called upon them, and not without success, to live and act in conformity thereto. Yet an under current of opposition to this system of government, has always existed among a few of the officers, which has affected injuriously, the government of the prison, and has rendered my success less obvious than it otherwise would have been. Officers that are constantly predicting evil, are very naturally led to hope it, and it is always easy by negligence, and the exhibition of ill-temper among the convicts, to produce it. I have borne with this opposition up to this time, in the hope that by constant acts of friendship, I might at last win them over to cooperate heartily with me, in the government of kindness which I have adopted. But their attachment to "the old discipline" is so inveterate, that they can see nothing but evil in the new. The cry that the discipline is running down, was raised before I had been here a week, and this cry is still repeated, and has lately echoed from the press in this vicinity. Yet I think I can safely say, that all the concerns of the prison have never been better than they have been during the last six years. A degree of order, industry, good and kind feelings, have existed among the convicts, perhaps unparalleled for so long a period of time. But when I came here, after the death of my predecessor, who was killed by one of the convicts, I immediately saw that a general feeling of hostility existed against the officers. The convicts were held in restraint only by fear. Anger and revenge were depicted upon their countenances, and more murders were daily apprehended. Soon, however, all this asperity subsided, and kindness, cheerfulness, and pleasant looks became almost universal. And there has since been no conspiracies, no outbreaks, no resistance of authority. No officer has been killed, assaulted, wounded, or struck. The convicts have been constantly counselled to repent of their former evil lives, to begin here a new life,—a life of goodness, and consequently of happiness,—to form here habits of order, neatness, industry and good manners, and to endeavor to make themselves skillful and ready workmen in their several trades, to enable them hereafter

to earn an honest livelihood for themselves and families. And I believe that almost all have become greatly improved under this discipline, and a large majority continue to do well after their terms of imprisonment have expired. The health of the prison has also been unparalleled during this time. There have been but twelve deaths for the last seven years, a mortality of less than one-half of one per cent. But during the seven years immediately preceding, there were thirty-three deaths, showing a decrease of mortality in the last seven years, of nearly three hundred per cent., and health of mind or freedom from insanity, has during the same time, been equally remarkable. And I find, in the last report of the Prison Discipline Society, tables comparing the interests of the several State prisons in this country, from which it appears that the earnings of the convicts here, are much larger than in either of the other prisons.

In consequence of the repeal, by the last Legislature, of the law authorizing the infliction of stripes, to a certain extent, if found necessary, in the State Prison, the Chaplain would express his views as they now exist, by submitting for consideration, the subjoined extract from a communication made some ten years since, in answer to the question proposed by Rev. L. Dwight.

"What do you think is the best system of punishment for misdemeanor in prison?"

The following is his reply, in part.

Many of the offences committed by prisoners, are, comparatively, trivial; but still they are offences, and must be noticed. For such violations of law and order, the offender may, with propriety, in the first instance, be reprimanded, and cautioned, and even kindly reasoned with; assuring him, however, that a repetition of the offence will assuredly be visited upon him with greater severity.

Offences of a more serious character, may, in most cases, if not often repeated, be successfully punished by solitary confinement, for such a length of time, and by such privations of food and bedding, as the nature and aggravation of the offence may demand, and the temper and spirit of the offender may render necessary, in order to secure obedience in future.

The next question which seems, naturally to present itself for consideration is this,—whether stripes, or the infliction of corporal

punishment, can, with propriety, ever be resorted to, in the government of a well regulated Prison.

That the affairs of a prison may be conducted without a resort to stripes, I have no doubt; but, after careful observation, and much and deliberate consideration in regard to this delicate and much agitated subject, I am *clearly* of opinion, that, in some cases, stripes may be resorted to, with a more ready effect, and a far happier result, both to the individual punished, and to the institution, than can be secured from solitude, with customary privations. But where stripes are authorized, as a part of the system of discipline, and adopted in any prison, the number of stripes and the circumstances of their infliction, should be carefully regulated, and should be watched with a vigilant eye by the legally constituted board of supervision, attached to such Institution. I feel confident that this mode of punishment, in the case of certain individuals, will, in a very short time, effect that which days and weeks of solitude and starvation, and even chains, cannot accomplish; and this too, without endangering the health of the sufferer, as is often done by solitude with its usual privations.

But I would say *distinctly* that I would never resort to stripes, where there is a rational prospect of a favorable result to the institution and the offender, by the adoption of a milder and less painful course. Still, I would never recommend it to any State, by legal enactments, to cut itself off from the power, should occasion call for it, to enforce obedience by the infliction of corporal chastisement. But whatever may be the mode of punishment,—whether by solitude, with its customary privations, or by the infliction of stripes, a record should be kept of every case of punishment, setting forth its nature and extent, together with the offence for which it was inflicted; which record should be open to the proper authorities, whenever they see fit to examine them.

By a police regulation of this institution, which is never infringed, no more than *ten stripes* can be inflicted on an offender at any one time; nor an additional number at any other time, for the same offence. without the advice and consent of the inspectors. By a further regulation, no subordinate officer, who has charge of the convicts at their labor, is permitted in any case, to strike a convict, except it be in self defence. All violations of the rules and orders of the prison, are required to be reported to the warden or deputy warden; and such measures are thereupon adopted, as the nature and circumstances of

the violation of the case may seem to require. This should always be the case.

In case it is decided, after a full and patient hearing of the case, that stripes shall be administered, the warden, or, in his absence, the deputy warden, determines the number of stripes, and designates some officer present to inflict the same, which is always done in his presence; adopting it as an invariable rule, never to designate the officer who reports the offender, as the person to inflict the punishment; thus securing the offender from the influence of any grudge or ill-will which such officer might, possibly, harbor against him. As an illustration of the efficacy and favorable results of punishment by stripes, in particular cases, I will refer to a single instance. The subject of this punishment was committed to this prison, in the year 1827, about one year before I became connected with the institution. The term of his sentence was seven years. He was a strong-built, athletic man, and, apparently, in fine health. He had not been long in the prison, before he began to manifest symptoms of insanity. He refused to labor; appeared to have lost very much of his intellect; became excessively silly, and, parrot-like, would repeat to himself, in a low tone, certain words or sentences, as he wandered about, or when addressed by any person. By some, he was thought to be insane, and by others, to be an imposter. Various methods, and some of no small severity, were tried, to ascertain whether he was actually insane or not,—but all to no purpose. He continued to persevere in the same course, notwithstanding all the experiments tried upon him, and the sufferings he endured, for a term of about *three years*. If suffered to go about the yard, or to be in the hospital, where he could be comfortable and well fed, he would be very quiet and contented; but, if confined in a cell, or made to suffer any privation, he was noisy and very troublesome. He would be intolerably filthy, tear off all the clothing from his body, and rend the articles of his bedding into strings, even in the severest weather in mid winter. Various physicians saw him at different times, and examined him; and, in general, though there were exceptions, were of the opinion that he was insane. But there were those about the institution, who always doubted the reality of his insanity; but after all that had been done, and the length of time which had elapsed since he had been in this condition, but little hope was entertained that any measures, which might be pursued, would prove successful in bringing him back to his duty. Still, a vigilant eye was kept upon his movements; and as he was, during the latter part of the time, while he continued in this situation, kept in the hospital, to prevent his being noisy, and

disturbing the institution, persons were there employed to watch his movements, and from time to time, to report any discoveries they might make.

After a while, such unequivocal marks of deception were discovered and made known, as satisfied the deputy warden, now the warden of the prison, who had kept a vigilant eye upon him, that he was an imposter. His discoveries he made known to the warden, and proposed a course which, if no objection was made, he was desirous of pursuing. The warden gave his consent. Accordingly, he was taken to the hospital the next morning and placed in a cell in the new prison, with the assurance that if he made any noise or disturbance of any kind during the day, he should receive, at night, ten stripes; and in case he did not then submit, but continued to make trouble, he should receive the same punishment the next morning; and, furthermore, that, as all doubt which had attended his case was now dissipated, and he was known to be an imposter, this course would be pursued with him, night and morning, until he would return to duty. But he was informed that if he would confess the imposition, he should be forgiven, notwithstanding all that had passed, and the amount of trouble that he had made. He continued, however, to put on the same airs, and during the day was noisy in his cell. At night he was taken out and the ten stripes inflicted, as he had been assured they would be, and he was reminded of the admonition he had received in the morning. The next morning came, and brought with it a report that the night had been as the preceding day. He was again brought out, and preparation made for his punishment, when he was again exhorted to return to duty, and told, if he did this, the past should be forgiven. There were no visible signs of his relenting; and the man who was ordered to inflict the stripes was about to proceed, when he could hold out no longer, and declared his willingness to submit, and return to duty. He was accordingly spared, and shortly after sent to the work shop, to labor with others, and ever after this,—a term of about three years,—continued to labor faithfully and industriously until his discharge from prison.

A few days after his submission, he voluntarily made a full and frank confession of the whole transaction; stating the reasons why he attempted the imposition; what sufferings he had endured in carrying it on; and the motives which operated in leading him to hold out, as he had, so long and so obstinately. It seems that his original object was to procure a pardon from the government, persuad-

ing himself, that pity for his condition, added to the trouble he should cause the institution, would insure such a result.

In view of the foregoing facts, can any person feel that the course pursued with this individual was either unwise or unkind? Other instances might be cited, were it necessary, in confirmation of the same position; but I have already, I fear, said too much.

In regard to those who reprobate the infliction of stripes in any case, I have no doubt of their perfect sincerity and honesty. But long experience and observation have satisfied my mind of the correctness of the ground I have taken. I would fain hope that I can and do feel as keenly and as tenderly for the woes and sufferings of the poor prisoner, as others; and although I may be subjected to the imputation of being "behind the spirit of the age," I am content to bear it, until I can be convinced that the sentiments I have advocated on this subject, are not in accordance with truth.

More than ten years have elapsed since the foregoing remarks were penned; and during that period, I have seen nothing to shake my confidence in their correctness. On the other hand, the course of events, as they have transpired in the prison, the past year, since the repeal of the law before referred to, has served to deepen my convictions of their truth, and to satisfy me, beyond a doubt, of the impolicy of such repeal. And let it be premised,—that probably nine-tenths of all the inmates of the prison, never require more than the ordinary restraints or punishments in the maintenance of salutary discipline, but there are a few,—and these few, enough to create and perpetuate almost infinite mischief and trouble, unless awed and kept in check by the hand of authority.

The power of enforcing obedience, by corporal punishment, having been prohibited by law,—the only alternative in the most desperate cases, has been, and is, solitary confinement, accompanied by such privations of food and other comforts as the warden may direct. This being known to be the dernier resort, the few, to whom reference has been made, soon began to show their colors,—and in defiance to nail them to the mast. When for aggravated offences, they have been committed to their solitary cell, numbers have not scrupled to use the most insulting and blasphemous language to the officers, daring them to do their worst, and boasting that they could stand it out as long as the government of the prison. Sometimes, four or five have been thus confined, in contiguous cells, situated on the front

yard of the old prison,—where, for weeks together, they have made day and night hideous by their blasphemy, profane and obscene songs, and language of defiance; encouraging each other to hold out, and pledging themselves to die, rather than to yield;—if ordered by an officer to keep silence, they have laughed him to scorn, aware that the law would permit the prison authorities to do no more than had been done already. All this might, from day to day, be heard by visitors, who came into the yard,—and by the children, male and female, of the officers of the prison, who reside on the prison grounds. If placed on the other side of the prison, they would be contiguous to the yard, where the workshops are situated, and be a constant annoyance to their fellow prisoners, while in the yard at their labor. Some of these men, thus confined, being strengthened and encouraged by each other, have held out three, four, five, and even up to nine weeks; and when finally released, manifested very little of that disposition and temper which it is the design of punishment to produce. And besides, when released, their bodies are necessarily debilitated, and for some time, unfitted for active duty; and, not unfrequently, they have to be taken to the hospital to recruit. Nor is this all. During the past season, in consequence of this state of things, hundreds of dollars must have been lost to the institution from the loss of time and labor of those thus confined. Until this experiment, very little time and labor have been lost, from the reason before stated; and besides, had the individuals thus subjected to solitary punishment, been aware that the government of the prison were authorized, by law, to inflict stripes as formerly, very little or nothing of the daring impudence, the blasphemy, the disturbance and noise, would have been witnessed. The certain consequences would have proved an effectual check, and the scenes, which for months have been enacted, would have been avoided.

But it is argued, that punishment, by stripes, is barbarous and cruel, and for this reason, ought not to be suffered. Could those who feel and reason thus, but have a full view of the sufferings, both bodily and mental, of those who suffer solitary confinement in its often and necessarily protracted forms, they would cease to talk of the barbarity and cruelty of stripes, when administered, as they have heretofore been, in accordance with the laws and rules of this institution, for twenty years past. This latter punishment rarely fails to subdue the offender at once, and he then returns to his labor,—without essential bodily injury or loss of health; and, without the loss of an hour, continues *his earnings for the benefit of the State* and of the institution.

Too much sympathy may be felt for abandoned felons,—while the circumstances and trials, and feelings of those who have them in charge, may be disregarded. We feel that no man ought to be placed at the head of a public prison like ours, without being intrusted with sufficient authority to enable him to maintain a proper dignity of character, and to secure prompt obedience to the laws and regulations of the institution.

The keeper of the Georgia State Prison gives his views thus: I have ever regarded with abhorrence the infliction of corporal punishment upon convicts, unless in extreme cases; such may arise, and doubtless will, then a resort to this harsh measure would be justifiable, but as a general rule, in my opinion, it may be dispensed with. Cruelty is unbefitting the christian character, and is calculated to engender a desire of retaliation in the convict's bosom, to impress upon him the conviction that to society he is irretrievably lost, and that the world has become his enemy. The result is natural: self-esteem abandons him; he is lost to hope; his hand by way of revenge is against every man; a misanthrope cast out forever, he feels that he is driven beyond the pale of reformation and redemption. My observation goes conclusively to prove, that the best and perhaps, the only successful way to reach and correct a corrupt and vitiated heart, and reform its evil propensities, is by kind, humane, and affectionate treatment.

The Warden of Indiana S. P. says, only one man has required punishment since the 12th of October last. Most of the punishments inflicted since the 15th of June last, (the commencement of my term of office,) were imposed during the first two months of that period. The usual punishment has been by stripes, that has been the mode heretofore adopted in this prison.

The Warden of the Connecticut State Prison says, since I have had the charge of the institution, I have endeavored to maintain a thorough discipline, such as I have deemed compatible with the true interests and welfare of the prison and of community. In some similar institutions a more lax system of discipline has been adopted, and the results of the two systems I am willing to leave to those who have observed their workings.

While the reformation of the offender is the object most to be desired and sought for in the imprisonment of those found guilty of

Solitary Confinement

The Warden of the Georgia State Prison

crime, and while community also, for her protection, demands that the criminal should not be at large to deprive at his pleasure; still another object is not to be lost sight of, viz.: the punishment of the felon—for it is this with the certainty that it shall follow acts of crime that will alone deter the murderer, the burglar or the thief from gratifying his passions or his cupidity. It must be known that certain punishment will follow transgression, else there is no terror to the evil doer.

Those who entertain the opinion that the greater proportion of those committed to prison may be reformed through the influence of kind treatment and moral suasion alone,—and thus by their imprisonment be prepared to occupy places of trust and responsibility in society, are perhaps not familiar with the history of many who have been thus treated, and who have given pleasing evidence on leaving the prison of a full and fixed determination to lead a moral life—but alas! in the hour of temptation have fallen and returned to crime.

To one who has a personal acquaintance with the character, and history of its inmates, a prison presents rather a forbidding field for moral improvement; nevertheless, the duty is as imperative, to those in charge, to make use of every means in their power, to instil into their minds the great principles of morality and religion, although a permanent reformation should be visible but in comparatively few instances.

Every successful prison keeper, will be careful to practice all the lenity, and bestow every favor to which the prisoner is entitled; but if he be obstinate and disobedient, as will be the case more or less in every prison, such punishment, should in my judgment, then be inflicted, as is best adapted to the character of the offender, and which will most effectually secure obedience to the rules of the prison, without endangering his health, or depressing his moral sensibilities. I fully believe that a strict discipline well maintained, prevents the necessity of frequent punishment; is better for the prisoners, and safer for the keepers.

There has been less frequent violation of the rules adopted for the government of the convicts, and consequently less occasion for punishment the past year, than in any former one since I have been in charge. During one month's absence of the deputy warden, but

two cases were reported to me for misconduct, and both of those for "looking about," conduct not prohibited in most of the prisons in this country.

The Inspectors of the Maine State Prison discourse thus: It will be seen by the list of punishments annexed, that solitary confinement has been principally depended upon during the year to preserve order and maintain the discipline of the prison; but it has been found necessary, in a few instances, to resort to the more degrading punishment of stripes, and the chain and clog. However much a resort to these means to preserve order may be regretted, the inspectors are forced to acknowledge that in the management of convicts personal chastisement of some kind is not only indispensable for the preservation of order by its subjects, but that the influence of such an example upon the wilful and refractory is often salutary and efficient.

It is undoubtedly true, that the great "law of kindness" should be the governing principle in our intercourse with the world, but more particularly so while watching over and directing the actions of those victims of vice who are shut out from the world as a punishment for their crimes. While in our intercourse with the criminal, it should ever be remembered that however different our situation, we are still members of the same great family, and treat them with kindness; yet we should not be so far under the influence of a "morbid sympathy" for the sufferings of the prisoner as entirely to lose sight of, and almost make him forget, the crime for which he is confined. We should not fear to speak in his presence of crime and its punishment, or to remind him of his offence—should not by our intercourse and conversation lead him to entirely overlook his guilt and only to think of imprisonment as a misfortune, but should point out to him, with kindness, his true situation; convince him of the importance of a thorough self-examination, and reformation; persuade him to submit to the rules of discipline, and during the time of his confinement to commence the practice of industry and application, that, continued after his discharge, will be sure to establish for him a good character, and render him a useful and respected citizen.

It is said that severe coercive measures compel, but seldom reform. This is undoubtedly true—and most convicts have the same feelings and susceptibilities as other men, and can readily be operated upon and influenced by the same motives—and these facts should never be lost sight of in their treatment.



While most of those who have been confined in prison, having satisfied themselves that the way of the transgressor is hard, have abandoned their former course of crime upon their return into society, have formed new associates and applied themselves to some useful employment, yet the statistics of every prison show frequent recidivisms of those who, not having commenced a course of reform while in prison, are again soon arrested in their acts of violence and guilt.

When the character of this latter class is taken into consideration; when it is remembered that with many of them the principles of kindness and morality were never cultivated in their youth; that their whole life till the time of their confinement had been spent under the complete influence of passion, it will readily be seen that their imprisonment only tends to sour them towards the whole world, but more particularly towards those who are directly the means of keeping them in confinement. While such is the case, can it, for a moment, be supposed that prison discipline can be maintained without occasionally resorting to severe punishment of some kind. Observation plainly shows that there are some in every prison, who can only be properly subdued by physical suffering; some who cannot be *reformed* but must be *compelled*.

The Inspectors of the New York State Prisons, in their annual report for 1849, testify as follows, viz:

The experience of another year has demonstrated the superiority of the mild and humane system of discipline prescribed by the prison law of this state, over that which places the cat in the hands of the keeper, and thrives upon corporeal punishment. It is believed the discipline of our prisons was never more satisfactory than during the last year. Symptoms of restlessness, it is true, have appeared, growing out of a subject already mentioned, but so far the cause has not existed to a sufficient extent to interrupt seriously the condition of the discipline. The prophecies of insubordination and disaster, and consequent depreciation of the value of convict labor, indulged by those long habituated to the use of the whip for the purpose of enforcing obedience and industry, if that time hallowed practice should be abandoned, have not been realized. A reduced number of punishments, a more faithful industry, an increased price for prison labor, and a better discipline, have followed the change.

For subduing the obstinate and refractory, in cases where admonition has proved ineffectual, the principal reliance has been upon solitary con-

finement and the shower bath. It is proper to state, that the form of the administration of the latter punishment at Auburn prison, to which the attention of the inspector was called, in the report of the physician last year, has been modified agreeably to his suggestion, so as to apply it in the form of a shower instead of a "douche." It is a punishment which does not induce hot blood, and may be applied with calmness and deliberation. The officer may command the respect of the culprit while he punishes. It is not so liable to attend sudden ebullition of passion, and it does not awaken in the convict the thirst for vengeance which is induced by the application of blows to the person. If properly administered, in the form of a shower-bath followed by rubbing the person dry, and proper exercise, it is believed to be perfectly innocent of deleterious consequences. That the present system is not less effectual than the old one in the maintenance of sound principle, is proved by the actual and very great diminution of the total number of punishments since its adoption, compared with any previous period. Less frequent punishment, accompanied with less efficient discipline, is no small commendation of the humane, over the barbarous system.

The warden of Maryland State Prison remarks:

During the year which has just closed, the conduct of the prisoners has been distinguished generally, by a spirit of subordination, while they have pursued their labors with industry, zeal, and faithfulness. This state of affairs has been the source of much pleasing consolation to me, as it has verified the opinion which I had long formed and fondly cherished, that men may be better governed by mildness than by severity—that it is better to elevate and warm the affections of the human heart into action, by acts of kindness, than to arouse the malign passions by treatment of a contrary character. It will there be seen that the number of stripes in 1843, upon 290 prisoners, amounted to 9,629; that my immediate predecessor, who commenced the reformation of this form of punishment, reduced the number in 1846, on the same number of prisoners, to 2482, and that the past year, with 229 prisoners, I preserved the discipline of the house and carried on its labors with the infliction of but 600 stripes.

The warden of the New Jersey State Prison writes as follows:

Care is taken to impress upon each and every individual, on reception, the importance of correct deportment to his own comfort and happiness while here. He is urged to a ready compliance with

the regulations and requirements of the house, and is assured that his treatment will be kind and indulgent while deserving, but that misbehaviour will meet with prompt rebuke or punishment. Prisoners soon learn the truthfulness of these admonitions, and very few ever offend, the great mass of them leaving the house without ever having received punishment or reproof. Less punishment is inflicted for breach of discipline in this, than perhaps any other prison of equal extent.

*New-Jersey, S. P., 1849—Warden's Report.*—No other mode of punishment is practised, than confinement in a darkened cell, on bread and water, with the addition of irons in more aggravated cases.

*West-ern Penitentiary, 1849—Warden's Report.*—During no period in the history of my connexion with this prison has the conduct of the prisoners been more uniformly good than throughout the past year.

*Michigan, S. P., 1849—Inspector's Report.*—The prisoner being capable of comprehending the force of reason and moral suasion, appeals are made to his judgment rather than to his fears and animal passions. These, and their kindred mild measures, such as occasional solitary confinement, &c., (giving the culprit time to reflect upon his conduct,) have been found amply sufficient in nearly all cases to bring the offender to repentance and a strict observance of the rules of discipline.

We are aware that the opinion has, and still does, to some extent prevail, that there are some men whose moral perceptions are so entirely blunted as to render them wholly insensible to the law of kindness, and accessible only through the medium of their animal fears. It may, perhaps, well be questioned, whether this opinion is not founded in an ignorance of the motives which operate upon the minds of such men.

At all events, it is to be hoped that the time is coming, and is not far distant, when the treatment heretofore and even now, to some extent, administered to men in prison, and especially corporeal punishment which they are often doomed to receive, will be looked upon as unchristian and denounced as a relic of barbarism. Perhaps the wonder is that a practice so inhuman and reprehensible in all, or nearly all cases should have been so long tolerated in this enlight-

ened country. It should be remembered by all who are entrusted with the prerogative of administering punishment, that the convict in prison is sentenced by the law to expiate his crime by confinement and hard labor, and that every degree of punishment beyond what is necessary for the due execution of this sentence and the attainment of the best ends to be answered by it is excessive and beyond the sentence and intention of the law.

*Warden's Report.*—Attention to the wants of the men, occasional close confinement, with a full conviction on the part of convicts that obedience would be enforced, have superceded almost entirely the use of the lash, and men have labored with cheerfulness and with the ambition of freemen.

The experience of the last eight months has but confirmed me in the opinion that corporeal punishment by whipping ought not to be abolished in prisons; that the right so to punish being fully understood by convicts, in nearly all instances supercedes the necessity of this class of punishments. I apprehend there are some who cannot be controlled by kindness, humanity, or any kind of moral influences. Such men must be punished by some kind of corporeal punishments. The animal controls the intellectual man, and brute force alone can enforce obedience.

*Indiana S. P., 1849—Warden's Report.*—The whole number of stripes inflicted during the last five and a half months, has been [270] two hundred and seventy stripes; the number of convicts punished in this manner in that period, is thirty-one.

*Illinois S. P., 1849—Warden's Report.*—The offences punished under my directions, were preparations and attempts to escape and to break through the prison wall, disobedience of orders, insolence to the guards or keepers, and for talking with each other unnecessarily.

*Maine, 1847.*—May 25th, refusing to work and insolence, 6 days solitary; 31st, talking and insolence, 2 days sol.; June 4th, insolence and wilful damage to work, 6 days sol.; 9th, insolence, 8 days sol.; July 4th, insolence and disobedience, 6 days sol.; 12th, communicating with other convicts, 3 days sol.; 12th, noise in his cell, 8 days sol.; 14th, fighting, 6 days sol.; 14th, fighting, 3 days sol.; 17th, insolence, 3 days sol.; 23d, insolence, 2 days sol.; Aug. 2d, quarrelling with cook, 10 days sol.; 2d, fighting, 11 days sol.;

2d, fighting, 4 days sol.; 3d, talking and idleness, 8 days sol.; 11th, talking, 3 days sol.; 11th, talking, 3 days sol.; 13th, insolence and boisterous and abusive language, 4 days sol. and 11 stripes; 13th, talking and laughing, 1 days sol.; 20th, talking, 9 days sol.; 22d, insolence and disobedience, 2 days sol.; Sept. 2d, stealing shoes, 9 days sol.; 3d, talking, 2 days sol.; 5th, noise in chapel, 2 for 2 days sol.; 18th, insolence, 7 days sol.; 18th, making signs to convicts, 4 days sol.; 23d, talking, 3 days sol.; 23d, disobedience and insolence, 17 days sol.; 28th, assault on Mr. Carlton, 22 stripes and chain and clog; Oct. 7th, fighting, 3 days sol.; 24th, disturbance in chapel, 3 days sol.; 26th, noise in cell, 2 days sol.; Nov. 7th, writing to convicts, 3 days sol.; 8th, 2 for talking and insolence, 2 days sol. each; 9th, talking, 2 days sol.; 12th, asking teamster for tobacco, 1 days sol.; 23d, talking, 3 days sol.; 26th, insolence and noise in cell, 4 days sol.; 27th, writing to convict, 2 for 2 days sol. each; Dec. 12th, insolence and noise, 3 days sol.; 12th, 2 disturbing divine service, 2 days sol. each; 19th 2 disturbing divine service, 2 days sol. each; 28th, talking, 1 day sol.; 28th, talking, 1 day sol.; 29th, insolence and profanity, 3 days sol.

*Maine*, 1848.—Jan. 2d, insolence, 1 day solitary; 4th, talking and idleness, 2, 1 day sol. each; 9th, noise in cell, 1 day sol.; 18th, stabbing four prisoners, 24 stripes and chain and clog; 18th, spoiling work, 2 days sol.; 21st, writing to convicts, 2 days sol.; Feb. 5th, talking, 3 days sol.; 6th, writing and insolence, 6 days sol.; 6th, noise and riotous conduct in cell, 6 days sol.; 7th, insolence and profanity, 2 days sol.; 10th, disobeying orders, 2 days sol.; 14th, talking, 2 days sol.; 15th, writing to convicts, 3 days sol.; 18th, insolence, 1 day sol.; 24th, having tobacco, 1 day sol.; March 15th, assault on deputy warden, being partially insane, solitary; 17th, talking and making signs, 2 days sol.; 31st, insolence, 2 days sol.; April 14th, insolence, 2 days sol.; 21st, insolence, 3 days sol.; 24th, wilfully spoiling his work, 4 days sol.; 25th, talking, 1 day sol.

*Aubun*, 1849.—December, shower bath, 4; yoke, 6; solitary confinement, 13. January, shower bath, 7; solitary, 2. February, shower bath, 17; solitary, 5. March, shower bath, 17; solitary 7. April, shower bath, 20; yoke, 2. May, shower bath, 13; yoke, 2; solitary, 7. June, shower bath, 20; yoke, 2. July, shower bath, 18; yoke, 1; solitary, 11. August, shower bath, 27; yoke, 3; soli-

tary, 5. September, shower bath, 15; yoke, 10; solitary, 5. October, shower bath, 19; yoke, 5; solitary, 11. November, shower bath, 15; yoke, 2; solitary, 21. Total 296.

*Sing Sing*.—Showered, 169; dark cell without food, 83; dark cell with bread and water, 29; showered and hair cut as short as possible, 14; dark cell and head shaved, 3. Total 298.

*Clinton*.—Shower bath, 78; reprimand, 3; solitary confinement in shackles, 1; solitary on bread and water, 79, stocks, 1; deprived of one meal, 1; shaved head, 1; ball and chain, 2; iron yoke, 1; shower bath and solitary, 1. Total 168.

*Massachusetts*.—First six months, 19 punishments, amounting to 80 stripes; 30 punishments, 137 days solitary; second six months, 89 punishments, 545 days solitary.\*

*Maine*, 1848.—May 30th, talking and laughing, 2 days solitary; 27th, disobedience and talking, 3 days solitary; June 11th, talking, 2 days sol.; 11th, talking, 2 days sol.; 29th, insolence, &c.; 3 days sol.; 29th, insolence, &c., 5 days sol.; 30th, insolence, 7 days sol.; July 14th, insolence, 6 days sol.; 19th, writing and idleness, 5 days sol.; Aug. 23, writing and having tobacco, 3 days sol.; 28th, writing in a clandestine manner, 5 days sol.; Sept. 7, noise in cell, 3 days sol.; 21st, resisting orders of overseer, 11 days sol.; 23d, insolence, 2 days 25th, insolence, 12 days sol.; Oct. 4th, singing, 3 days sol.; 16th, noise in cell, 2 days sol.; 17th, stealing hard bread, 2 days sol.; 18th, insolence, 3 days sol.; 31st, noise and insolence, 8 days sol.; Nov. 2d, disorderly conduct, 4 days sol.; Dec. 4th, noise in cell, 2 days sol.; 5th, writing to convicts, 2 days sol.; 5th, talking and insolence, 3 days sol.; 8th, disobedience, 1 day sol.; 8th, writing to convicts, 7 days sol.; 11th, swearing and threatening, 4 days sol.; 19th, talking, 2 days sol.; 27th, insolence, 4 days sol.

*Maine*, 1849.—Jan. 1st, negligence and insolence, 2 days solitary; 19th, resisting and assaulting deputy warden with a club, 1 day sol., and chain and clog; Feb. 18th, writing and refusing to give it up, 1 day sol.; 21st, talking, 1 day sol.; 21st, talking, 1 day sol.; 24th, talking, 1 day sol.; March 16th, insolence, 4 days sol.; 21st, disobe-

\* The last six months corporal punishment was abolished in this prison.

dience and insolence, &c., 8 days sol.; 26th, attempting to sell his clothes, 1 day sol.; April 18th, disrespectful language, 2 days sol.; 26th, disobedience and insolence, 8 days sol.

*Illinois*, 1848.—Showing the number of stripes, for abusing superintendent and profanity, 15; attempting to escape, 15; insolence and resistance to guard, 25; mutiny, attempting to escape and assaulting the guard, by fifteen convicts at once, 45 each; insolence and disobedience, 8; do. 9; do. 8; fighting, two cases, each 15; attempting to escape, 15; insolence and disobedience, 10; do. 5; fighting, 15; insolence, 10; destroying property, 10; fighting, two cases, 15 each.

### 6. PARDONS.

*Rhode Island S. P.*, 1849—*Inspectors' Report*.—Two of the convicts in the State Prison, Nos. 84 and 85, are laboring under diseases, from which, by the subjoined note of Dr. Arnold, it would seem that their recovery is extremely doubtful if retained in prison. They would therefore suggest and recommend, that said Nos. 84 and 85 be immediately discharged.

*New-York S. P.*—*Inspectors' Report*, 1849.—The proportion of pardons to the average number of convicts the last year, has been, at Sing Sing, 1 to 58; at Auburn, 1 to 44; at Clinton, 1 to 39.

The previous year, the proportion was, at Sing Sing, 1 to 15; at Auburn, 1 to 8; at Clinton, 1 to 10.

In 1848, the proportion of pardons in the Maine State Prison, was 1 in 34; in New Hampshire, 1 in 29; in Vermont, 1 in 7; in Massachusetts, 1 in 10; in Connecticut, 1 in 21; in New Jersey, 1 in 13; in new penitentiary, Philadelphia, Pa., 1 in 22; in Ohio, 1 in 5.

The Inspectors are aware that much prejudice has existed in the public mind against a prodigal exercise of the pardoning power; and that the interposition and activity of friends, and the interested exertions of feeble advocates, have sometimes been successful in procuring pardons for those who were not the most deserving, leaving uncared for those more meritorious, who could not command these powerful influences. Cases, however, in the opinion of the Inspectors are fre-

quently arising, in which the exercise of executive clemency is not only justifiable but highly important.

The hope of release, to which the mind of the convict under a protracted sentence instinctively clings, forms a powerful inducement to correct deportment and faithful labor. An occasional pardon from among the most meritorious becoming known, keeps alive hope, and stimulates to renewed efforts to deserve and receive approbation. Deaden this cherished expectation, by the infrequency or total denial of pardons, and the convict concludes that nothing is to be gained by good conduct and industrious and faithful application to his employment. The idea passes from one to another, and becomes the common sentiment of the mass, that efforts to deserve and secure approbation are useless, if the refractory and the idle fare as well as the obedient and the industrious. The minds of the convicts become proportionally soured, and petulant, and intractable: they are less sensible to the influence of kindly treatment, more frequently offend against prison rules, and render necessary a more rigid resort to punishment in the enforcement of good discipline.

*Auburn, Chaplain's Report*.—*Executive Clemency*.—While the too free and indiscriminate exercise of this power is greatly to be deprecated, its entire suspension, under existing circumstances, would be scarcely less detrimental to the interests of the State and of society.

One very natural consequence of the rigid refusal of pardons is manifested in more frequent conspiracies and desperate attempts to escape—attempts which would not be thought of if the hope of pardon were indulged, because detection would be sure to destroy the expectation of favor.

The temper of mind, too, induced by an apparent determination to exact, in all cases, the full measure of the law's infliction, is unfavorable to the reception of moral and religious truth. The gospel teacher cannot reach the heart which is brooding over fancied or real wrongs, and indulging sentiments or purposes of revenge. Kindness, humanity, mercy, are the qualities which open the hearts of men to such instructions, and secure their consideration. If the public authorities be looked upon as friends, they may do much to reform the erring prisoner, which they cannot accomplish if regarded as enemies, or as rigid and exacting task masters.

*Chaplain's Report, Auburn, 1849.*—The mental and physical constitution of many of the prisoners is already greatly impaired, and nearly all are more or less injured by protracted confinement. Several have large and dependent families for whose sustenance they will be entirely disqualified to labor should their incarceration be greatly prolonged. As many of these unfortunate men have no friends who are in circumstances to bring their case fairly before the executive, it is believed their condition presents strong claims to your attention, and that a recommendation from your Hon. Board should, and generally would be deemed by his Excellency a sufficient ground for their liberation.

*Physician's Report, Auburn, 1849.*—Compared with previous years, a very small number of convicts have been discharged from the prison during the last year, by pardon. The hope of pardon and release is a powerful motive with the convict for correct department and meritorious conduct; and the occasional though discreet use of the pardoning power, in the most meritorious cases, operates as a valuable auxiliary in the maintenance of good discipline. A too restricted application of this attribute of mercy, is perhaps about as much to be deprecated as its too lavish and indiscriminate exercise.

*New Jersey S. P., 1849—Moral Instructor's Report.*—A majority of our convicts enter the prison with decided expectations of a *speedy pardon*. We find them thoroughly instructed in the nature, constitution, and prerogatives of the pardoning power; and they all know the week, perhaps imagine the very day and hour, when the dispensers of pardons are expected to convene. With such expectations, the prisoner is constantly exercised with a feverish anxiety that is almost sure to end in an agony of disappointment. The just punishment inflicted by the law is thus followed up by a refined cruelty, inflicted through the misdirected sympathy of thoughtless friends. Painful as it is, I always endeavor promptly and earnestly to remove this delusion. And when I can have it in my power to say that pardons are very seldom granted, and that I have constantly been meeting prisoners filled with the same hopes, to be succeeded only by bitter disappointment, I have found that, though by a painful process, a great advantage has been gained. Just in proportion as expectations of release are removed, is the prisoner's happiness advanced; and the less the number of pardons, the greater always the contentment, and the better our hopes of good order and cheer-

ful submission, and of moral, mental, and religious improvement. The most salutary ingredient of punishment is *its certainty*.

*Georgia S. P., 1849—Keeper's Report.*—Of the number pardoned by the Governor, three were represented by the hospital surgeon as in a dying condition, and twenty-one, whose time, under sentence, was about expiring, were liberated in conformity with an executive order, passed the 14th of December, 1844, with a view of restoring them to their civil rights; the balance were pardoned from strong petitions of citizens in their behalf and good and orderly conduct on their part, during confinement.

### 3. FINANCIAL SYSTEM—*embracing convict labor, prison revenue and expenses.*

REVENUE. *by State*

*Maine S. P., 1848—Warden's Report.*—When the small number of convicts is taken into consideration, it will readily be seen why the prisoners do not become a source of revenue to the state. By comparing the proceeds of the labor done by the convicts in this prison with that of other prisons, the result shows that they earn as much according to the number as in any other prison; but while the whole number is so small as at present, and so many necessarily employed where their earnings do not appear,—as in cooking, washing, tending and preparing wood for fires, together with those in the hospital and solitary confinement,—the whole amount of earnings cannot be very large, while the expense of watching over them and directing their work, is about the same as if the number of convicts was sufficient to double the amount of their earnings.

Instead of being anxious that the prison should yield an income to the State, it should be a source of gratification that there are so few prisoners.

1849.—It will be perceived that it has cost more to carry on the prison this year than on some former years. This is attributable to various causes—one of which is the high prices of provisions of every kind during the last year. Also, since the erection of the new prison it requires nearly double the amount of fuel; but that we hope is made up in comfort to the convicts. Another reason is, that at the commencement of cold weather last fall, the prisoners were

taken from the quarry and put into the shoe shop, believing it would be more comfortable for them through the winter and shield them from the storms. This, of course, did not yield much profit, as they could earn but little in that shop.

We have also strengthened our forces by the addition of another guard, making in all four day guards. An extra overseer was found necessary in the shoe shop as a large number of convicts work in that shop. The two overseers cut and fit the work for the convicts.

The prison has a little more than supported itself exclusive of officers' salaries. The prison falls short of paying all expenses, including officers' salaries, \$4,138.26.

*Vermont S. P., 1849—Director's Report.*—The expense of provision and clothing is about \$40 yearly to each convict, so that, by the terms of our contract, there will be a balance of about \$60 for each convict who shall be able to perform a fair day's work, to apply towards defraying other expenses of the prison; so that it is very apparent that the expense to the State will depend very much upon the number of convicts, as the expenses for the government and police regulations of the prison will be about the same with forty convicts as with sixty or seventy.

*Massachusetts S. P., 1849—Warden's Report.*—A sudden increase of convicts, as they are now employed in the prison, is not immediately advantageous to the pecuniary concerns of the prison. A large majority of the ordinary number of convicts are let out to contractors, at a fixed price per day. When these contracts are filled, the rest of the prisoners are put to work at stone cutting, which is carried on by the prison. The labor of these convicts is not profitable until they have been at work at stone cutting several months, but an expense for clothing, bedding, utensils, &c. is immediately created, so that, for nearly the first year the increased expense is greater than the increased proceeds of labor from any great and sudden increase of convicts. But if the numbers should continue to be so large, the proceeds of labor will be greatly increased another year, and in years to come. As it is, the proceeds of labor is much greater than it has been for many years past. It has been a hard year again, to supply the prison with provisions. Potatoes have been as scarce and dear as ever, and beef and pork have been as high. I have substituted in part, flour, rice, beans and bread, as cheaper and better than partially diseased potatoes, though much more expensive

than potatoes ordinarily are. I have supplied the hospital with a complete new set of iron bedsteads, at an expense of nearly two hundred dollars. The pay of a night watch, and the substitution of flour, bread and tea, during the prevalence of the cholera, have also, served to swell the debit side of the accounts.

*Vermont S. P., 1849—Superintendent's Report.*—An Act of the last session of the Legislature authorized the directors to let out, for a term not exceeding five years, any part of, or all, the convict labor, as they should judge for the best interests of the prison; and anticipating that they would have an opportunity to let the labor at a rate which it would be for the interest of the State to close with, I thought it advisable to limit the arrangements for manufacturing so as to meet any action the directors should take on the subject; consequently some business was partially suspended, which might and would have been pursued under other circumstances.

The directors did not, however, close a contract for the labor until the 15th day of December, to go into operation, partly in the month of May and the remainder on the first day of August. With this arrangement, having materials consisting of lumber, iron, leather, &c., in various stages of manufacture, and the labor of the convicts, until the time when the contract would go into operation, to dispose of, it became necessary, and much of the labor was applied to the business of finishing such work and contracts as had been commenced, and in bringing certain articles into a merchantable state, rather than in business which, under other circumstances, would have produced a greater gain, without taking into the account the loss which must have accrued on the sale of articles in an unfinished state. The goods and property in the process of manufacture have been finished as far as they could be, put into market, and mostly disposed of.

*New Hampshire S. P. 1849—Warden's Report.*—The result of the operations of the prison since July last has not been as prosperous as desirable. The past has been a hard year for business generally, and this institution is affected as business is good or bad.

On entering upon the duties of my office there was not a dollar on hand to purchase supplies or to carry on business, nor were any of the convicts under contract. One of the contractors, however, continued to employ about a dozen convicts in the shoe shop. The rest were upon our hands, without any organized business, without

an adequate supply of tools, and without stock. It was desirable not to set them at work on account of the State if it could be avoided; but as no one was ready to contract for them there was no other alternative left. On the 1st of August the convicts employed in the cabinet shop were put under contract, and those in the smith shop in December. Owing to the causes above stated it could be hardly possible to avoid a diminution in the income. To prepare tools, shop, &c., for a new business, and give it up soon after, is almost inseparable from loss. The prices of provisions and other articles have generally ranged high. Potatoes in particular have been unusually high. These causes have been beyond the ken or control of any one, and it is thought that with this explanation, will be satisfactory.

The convicts are mostly under contract for a portion of the coming year, and it is believed that it will be the desire of all the contractors to continue.

*Rhode Island S. P.*—*Inspector's Report.*—The shoe making business has been continued in the prison with some profit; as great, perhaps, as can be expected where there are so few prisoners, it costing as much for salaries of keepers, as if there were double the number of convicts.

*Auburn S. P. 1849*—*Agent's Report.*—The average number of convicts during the year was 512.

The daily average earnings of each convict was  $29\frac{17}{100}$  cents, which contrasted with the previous year, shows an increase of  $3\frac{7}{100}$  cents.

The daily average ordinary expense of each convict was  $25\frac{33}{100}$  cents, being  $1\frac{0}{100}$  cents less than 1848.

The average cost of rations during the year,  $7\frac{0}{100}$  cents.

*Sing Sing S. P. 1849*—*Warden's Report.*—The income of this prison from its industrial operations is very much impaired by the large proportion of unproductive men, very many of whom, and more particularly among those committed from the city of New-York, come here in a diseased state—a large proportion of them incurably so, and unable to endure active labor.

The average of the prices now paid at the prison is  $49\frac{1}{2}$  cents. At Sing Sing prison the average of the contract prices for male convicts is about  $41\frac{1}{2}$  cents. At Clinton prison, a contract for the employment of 40 convicts for 5 years, at 40 cents per day, in the manufacture of steel and iron, or both, has been made.

*New Jersey S. P., 1849*—*Keeper's Report.*—There has been paid from the surplus earnings of the convicts, the sum of four thousand seven hundred and fifty dollars into the state treasury.

In concluding the financial operations of the institution, we take great pleasure in communicating the fact that we believe it was never in so prosperous a state. The plan pursued by the keeper, of purchasing for cash only, enables him to obtain his supplies on the best possible terms, thereby promoting the interests of the institution, meets with the full approbation and concurrence of the board of inspectors.

The separate system of confinement, it cannot be denied, is not favorable to the most productive labor of the prisoners, and if our legislature had not had other and more important objects in view than pecuniary results, it would certainly not have been adopted in our state. Yet in 1848, the average earnings for every individual confined in this prison exceeded those of either of the other prisons in the United States, only excepting two, Massachusetts and Ohio.

I attend personally to the sales of the products and to making nearly all the collections for the prison, avoiding entirely the intervention of commission agencies. I am thus brought into direct personal intercourse with our customers, learn their responsibility, and am enabled to adapt our work to their wants and individual tastes. This has resulted in a saving to the state of a very considerable amount, which has gone to swell the sum of the prisoners' earnings. Purchases are made for cash.

*Maryland S. P., 1849*—*Warden's Report.*—We have cause of congratulation in the fact, that the excess between the expenses of the Penitentiary and the earnings of the prisoners, has been reduced in the sum of \$5,893.45 from what it was last year.

*Ohio S. P., 1849*—*Warden's Report.*—Owing to the sickness in the prison and the consequent large loss of labor, the receipts of the prison have, as a matter of course, been greatly diminished, while the expenditures have been greatly augmented.

*Georgia S. P.* 1849.—*Keeper's Report.*—The institution at this time, is in a state of unparalleled prosperity, probably in a better condition than it ever has been since its establishment. We will be enabled to carry on and keep it up without subjecting ourselves to the mortifying resort of calling upon the Legislature for any appropriation. This I believe has never before occurred, and is the best evidence that with proper and cautious management, the institution can at all times support itself.

*Maine*, 1848.—Received from State Treasury, \$4,547.50; visitors \$127.12; convicts admitted, \$11.13; wheelright dept. \$1,804.47; shoemaking, \$1,331.48; blacksmith, \$1,82.22; lime quarry, \$1,298.43; team, \$127.76. Total \$103,30.11.

Expended for officers' salaries, \$4,526.46; Convicts discharged, \$240.98; building and repairs \$337.53; subsistence dept. \$2,579.55; fuel and lights, \$906.98; clothing, \$589.79; expense acc't., \$739.80; a. p. n. \$45.42. 11.

*Maine*, 1849.—Received. Stocks and tools on hand, \$170,42.62; visitors, \$164.35; clothing, \$139.67; sundries from expense acc't., \$72.63; shoemaking, \$4,567.38; building and repairs, \$1.20; wheelrights, \$3,300.95; team, \$882.58; lime quarry, \$1,710.94; subsistence, \$307.47; blacksmiths, \$1,938.96; convicts admitted, \$11.32; bal. against, \$5,100.81. Total, \$25,240.28.

Expended.—Stocks and tools on hand, \$16,678.21; officers' salaries, \$4,676.65; clothing, \$615.84; sundry expenses, transportation of convicts, &c., \$1,657.48; fuel and lights, \$1,273.88; shoemaking, \$2,654.18; building and repairs, \$416.56; wheelrights, \$2,375.49; team, \$802.17; lime quarry, \$852.32; subsistence, \$2,260.15; blacksmiths, \$775.75; convicts discharged, \$201.60. Total, \$25,240.28.

*New Hampshire*, 1849.—Received from visitors, \$310.29; smith's shop, \$626.29; cabinet shop, \$1,675.79; shoe shops, \$2,122.51; tailor shop, \$1.25; deficit, \$895.33. Total, \$5,631.22.

Expended. General expenses, \$2,895.31; steam engine, \$9.64; clothing and bedding, \$262.56; provisions, \$2,421.10; repairs and improvements, \$38.07; interest, \$4.54. Total, \$5,631.22.

*Vermont*, 1849.—Received from carriage shop, \$942.10; shoe shop, \$1,102.35; visitors \$151.88; suspended acc't., \$8.77; convicts

on contract, \$1,142.85; gains arising mostly from collections of doubtful debts inventoried last year at 50 per cent, \$305.04; liabilities over assets this year, including bal. of interest, \$4,261.79. Total, \$7,914.78.

Expended: Prison dept., \$471.58; provisions, \$2,325.61; clothing \$532.80; fuel and light, \$694.53; medical department, \$26.43; pay and expense acc't., \$2,611.22; bal. of interest paid, \$1,201.73; repairs, \$36.65; demands carried to suspended acc't., \$12.53. Total, \$7,914.78.

*Massachusetts*, 1849.—Received: From stone dept. \$15,662.78; labor, \$17,782.37; visitors, \$1,301.25; rents, \$225.94; amount rec'd from the treasurer of the commonwealth, \$4,200. Total, \$39,172.34.

Expended: Provisions, \$9,430.06; hospital dept., \$249.19; clothing, \$4,167.09; expense, \$4,595.06; officers salaries, \$16,650.00; prisoners discharged, \$489.74; transporting prisoners, \$426.12; repairs of real estate, \$309.30; night watch, \$84.00; surplus of receipts, \$2,771.77. Total, \$39,172.34.

*Rhode Island*, 1849.—Received: From shoemaking, \$1,178.83; fare acc't. \$2.32; interest, \$11.49; deficit, \$2,421.31. Total, \$3,613.95.

Expended: Salaries and labor, actual, \$1,099.79; pro rata, \$643.06; provisions and groceries, pro rata, \$813.57; bedding and clothing, actual, \$176.93; pro rata, \$11.10; fuel and lights, actual, \$301.07; pro rata, \$99.30; books and stationery, pro rata, \$11.53; furniture, actual, \$14.36; pro rata \$10.32; miscellaneous, pro rata, \$100.99; discharged convicts, actual, \$49.50; recovering prisoners, actual, \$70.00; repairs and fixtures, actual, \$180.54; pro rata, \$7.77; oakum, \$24.12. Total, \$3,613.95.

*Connecticut*, 1849.—Received: From carpenter's shop, \$2,310.74; chair seating, \$1,914.83; smith shop, \$2,679.80; cutlery shop, \$359.58; shoe shop, \$1,879.68; cabinet shop, \$2,496.26; varnishing shop, \$964.83; visitors, \$425.65; balance of interest, \$839.92. Total, \$13,571.21.

Expended: Expense account, \$6,126.39; provisions, \$3,939.64; clothing and bedding, \$523.71; repairs and improvements, \$270.12; hospital acc't., \$340.60; female dep't., \$37.77; transportation of convicts [Assembly, No. 198.] 12



victs, \$182.45; discharged convicts, \$240.80; bal. against institution, \$2,209.81. Total, \$13,871.29.

*Auburn, 1849.—Received:* Cash balance on hand Sept. 30, 1848, \$4,387.52; from cabinet shop, \$9,239.45; carpet shop, \$23,596.38; coopers' shop, \$2,799.77; cutlery shop, \$1,251.86; hame shop, \$4,222.08; machine shop, \$4,529.34; shoe shop, \$6,107.48; tailor shop, \$363.71; tool shop, \$4,295.81; visitors, \$1,817.66; convicts' deposits, \$185.23; rations sold, \$215.42; clothing and bedding sold, \$0.75; building and repairs, (old lumber,) \$44.38; stock, tools, &c. sold, \$136.03; firewood, oil, &c., (wood sold) \$232.32; support of U. S. convicts, \$832.14; cash received from Comptroller for clothing furnished Clinton Prison in 1845, and 1848, \$2,226.80; cash from Comptroller (annual appropriation for library,) \$100.00; swill, convict labor, job work, &c., \$440.44; rent, \$150.00; interest, \$389.22. Total, \$67,613.79.

*Expended:* For rations, \$16,090.80; hospital, \$883.43; clothing and bedding, \$3,383.36; building and repairs, \$5,326.14; firewood, oil, &c., \$5,363.18; hay and grain, \$28.34; stock and tools, &c., \$96.27; printing and stationery, \$455.66; discharged convicts, \$1,010.60; furniture \$132.40; salaries of prison officers and teachers, \$15,619.15; do. do. of guards, \$7,198.20; miscellaneous, \$1,190.56; bal. on hand, \$10,835.80. Total, \$67,613.79.

*Sing Sing Male Prison, 1849.—Received:* Balance from last years acct, brought forward, \$390.78; carpet contracts, \$9,635.37; boot and shoe do., \$836.31; file do., \$6,693.05; saddlery, hardware do., \$5,391.82; lime do., \$4,163.38; button do., \$188.36; hat do., \$4,677.46; railroad do., \$13,373.91; state farm, \$502.17; stone shop and quarries, \$3,888.59; provisions sold, \$1,711.57; support of United States convicts, \$309.00; smith shop, \$187.00; convicts' deposits, \$71.32; building and repairs, \$45.63; hospital stores sold, \$17.63; oil and fuel sold, \$49.00; clothing error in bill wool refunded, \$1.00; incidental, \$50.00; visitors, \$165.94; special appropriation by the legislature, for the payment of old debts, purchase of books and current expenses, from the Comptroller, \$26,270.00; deficit, \$1,530.99; Total, \$81,850.28.

*Expended:* Salaries of prison officers and teachers, \$21,284.20; prison guard, \$11,656.85; provisions, \$23,381.53; hospital stores, \$1,938.80; clothing, \$5,501.62; building and repairs, \$2,630.28; oil,

camphene, and fuel, \$7,466.69; stone shop and quarries, oxen, iron, steel, hay, feed, &c., \$1,591.65; furniture, \$1,041.46; printing, stationery, advertising, &c., \$964.34; discharged convicts, and transportation of same, \$1,110.00; convicts' deposits refunded, \$69.53; tobacco, \$208.53; railroad contract, refunded to correct error in account, \$377.20; incidental, rewards for escaped convicts, expenses pursuing, &c., \$2,740.60. Total, \$81,850.28.

*Sing Sing Female Prison, 1849.—Received:* From button contract, \$1,592.10; binding hats, \$670.72; cutting files, \$110.48; deficit \$8,038.40. Total, \$10,411.70.

*Expended:* For fuel and light, \$1,450.00; furniture and clothing, \$800.00; matron and assistants, \$900.00; guards, \$720.00; teaching, \$37.50; agent, clerk, chaplain, and physician, the  $\frac{1}{2}$  part of the salary of each, \$362.50; rations, \$2,920.00; hospital, \$425.00; repairs \$500.00; waiters, teamsters and laborers, \$628.00; discharged convicts and clothing, \$668.70. Total, \$10,411.70.

*Clinton State Prison, 1849.—Received:* Cash on hand Oct. 1st, 1848, \$827.97; cash received of State treasury, balance of \$25,000, appropriation for 1848, \$7,553.13; cash of State treasury, on the appropriation of \$39,000 for 1849, \$32,776.99; cash from our sales, \$8,616.59; blacksmiths' shop, \$57.52; convicts' deposits, \$55.54; visitors, \$149.37; machine shop and furnace, \$191.18; cash from sundries, \$140.77. Total, \$50,369.06.

*Expended:* Buildings and repairs, \$993.49; rations, \$818.21; clothing and bedding, \$4,400.96; fuel and lights, \$1,253.34; hospital and medicines, \$430.76; discharged convicts, \$324.94; postage, printing and stationery, \$367.91; salaries of officers, \$7,000.79; guards, \$8,652.29; teams and keeping, \$560.48; expenses of agent, \$123.33; storage and freightage, \$607.71; miscellaneous, \$1,483.97; machinery, \$1,909.51; Averill mine, \$15,784.30; cash on hand Sept. 30, 1849, \$242.59. Total, \$50,369.06.

*New Jersey, 1849.—Received* from chairmaking dept., \$8,873.33; cordwainers, \$3,782.13; weaving, \$2,898.06; sundries, \$1,226.53; interest, \$17.97. Total, \$16,798.02.

*Expended* for provisions, \$6,329.18; fuel, \$1,206.50; furniture, including bedding, clothing, tools and implements, \$1,593.66; hospi-

tal stores, \$290.24; incidental expenses, \$825.48; discharged prisoners, not having overwork, \$312.89; balance, gain, \$6,240.07. Total, \$16,798.02.

*Western Penitentiary, Penn.*, 1849.—*Received* from weaving, \$2,306.16; shoemaking, \$5,012.74; merchandise, \$1,619.77; tailoring, \$245.88. Total, \$9,184.55.

*Expended* for subsistence, \$8,560.51; stock, \$624.04. Total, \$9,184.55.

*Eastern Penitentiary, Penn.*, 1849.—*Received* from weaving, \$6,189.02; cordwaining, \$1,741.13; carpentering, \$355.04; blacksmithing, \$95.61; picking wool and cakum, \$219.98; tailoring, \$247.31; tinsmithing, \$81.43; sundry labor, \$60.94; balance, \$4,864.04. Total, \$16,854.30.

*Expended* for subsistence, from 1st month, 1st, to 12th month, 30th, 1849, \$16,632.43; interest, \$221.87. Total, \$16,854.30.

*Maryland*, 1849.—*Received*: Gross gain by weaving, dyeing, carding and spinning account, \$17,811.01; cordwaining, \$3,086.93; smithing, \$2,151.18; visitors, \$115; bag making, \$1,842.29; hire, \$443.15; deficit, \$7,054.46. Total, \$32,504.02.

*Expended* for provisions, \$6,736.04; clothing, exclusive of shoes, \$1,054.56; shoes, \$865.37; fuel, \$1,401.75; household expenses, \$4,128.93; salaries of officers, \$14,726.84; per diem of directors, \$10.08; discount paid for use of money, \$2,582.53. Total, \$32,504.02.

*Virginia*, 1849.—*Received*: Cash paid into the treasury, \$10,000; goods furnished lunatic asylum, \$707.78; permanent improvements and repairs on penitentiary, \$607.69; improvements at capitol square, \$1,127.51; stock at penitentiary, \$26,211.86; stock at store, \$26,049.98. Total, \$64,704.82.

*Expended*: Stock on hand at penitentiary and store, Oct. 1, 1848, \$55,175.80; deduct from this stock the discounts and reductions by order of the board, in the year ending Sept. 30, 1849, \$1,997.56; leaving actual available stock, \$53,150.44; directors, officers and physician, and for diet for prisoners, \$10,521.87; balance in favor of penitentiary, \$10,321. Total, \$64,704.80. Recapitulation of gain

for five years: Year ending 30th Sept., 1845, gain \$3,196.29; 30th Sept., 1846, \$1,270.43; 30th Sept., 1847, \$1,983.53; 30th Sept., 1848, \$2,420.97; 30th Sept., 1849, \$1,032.51. Total gain, \$9,903.73; average gain for five years, \$1,980.74.

*Tennessee*, 1849.—*Received*: Cash on hand Sept. 30, 1847, \$7,199.85; amount received for articles sold and debts collected from Sept. 30, 1847, to Sept. 30, 1849, \$36,295.32. Total, \$43,915.17.

*Expended*: Cash paid sundries as per vouchers, including salaries of officers, materials, victualing, clothing, &c., &c., \$41,347.49; bal. of cash, \$2,567.68. Total, \$43,915.17.

*Received*: Balance of manufacturer's account, \$62,324.56; bal. of interest account, \$352.13. Total, \$62,676.69.

*Expended*: Victualing account, \$7,958.37; expense, \$6,391.42; wages, \$14,365.99; hospital, \$479.23; clothing, \$1,382.04; discharge, \$735; balance, gains in the last two years, \$31,364.64. Total, \$62,676.69.

*Georgia*, 1848 and 1849.—*Received*: Manufactured articles and job work during 1848 and 1849, \$56,534.73; account against United States in same time, \$1,064; interest received same time, \$35.42; old debts, \$8,797.57; overcharge for leather during 1848 and 1849, \$5,341.14; loss on brick, \$27.00; reduction on stock, old and new, \$273.11; balance of materials on hand Oct. 1, 1849, \$21,631.31. Total, \$93,704.29.

*Expended*: Balance of materials on hand 1st Monday Oct., 1847, \$21,230.75; materials received from inspector during 1848 and 1849, \$30,084.71; expenses paid during same time, \$21,008.72; error in account against United States, March 31, 1849, \$26.52; balance in favor of profits, \$21,353.59. Total, \$93,704.29.

*Ohio*, 1849.—*Received* on account of tool makers, \$1,035.05; tailors' shop, \$1,330.60; engines and machinery, \$2,011.48; smith, hame, lace and saddletree shops, \$16,274.62; shoemakers, \$425.31; prison slops, \$142.94; lumpers, (promiscuous labor,) \$1,257.77; visitors, \$723.37; United States, \$568.67; incidentals, \$21; stone shop, \$42; fuel sold, \$43.88; carpet weavers, \$2,123; Gov. Ford's contingent fund, \$2,500; State treasury, \$2,409.61; showing the cash

receipts and earnings for the current year to have been \$30,910.18. To this should be added labor done under appropriations the past year, for which cash has not been received, viz.: Labor on new State House, \$3,811.20; labor on amount due Lunatic Asylum, \$1,500; labor in wood-lot, repairs, &c., \$850; labor and stone furnished State avenue, \$140.50; due from City Council, \$77.91; due from sundry individuals, \$52.20; estimated proceeds of State hog-pen, \$310; labor in repairing gas fixtures, \$160; due from new State House for smith work, \$13.57; making total receipts and earnings the past year, \$37,883.36.

*Expended* for repairing engines, \$538.08; printing and postage, \$74.71; forage, \$240; teams, \$196.61; incidentals, \$364.21; furniture, \$668.84; visitors' guard, \$317; provisions, \$9,586.11; clothing, \$2,966.98; discharged convicts, \$435; fuel and light, \$2,035.71; stationery, \$69.51; library books, \$76.66; moral instructor, \$481.25; salary, \$915.71; less amount paid by State House Commissioners, \$695—\$8,500.71, showing the amount paid out for the general support of the prison to have been \$29,616.07; leaving a balance in favor of the receipts and labor done to the amount \$8,267.29, less amount received from government and treasurer, \$4,909.61; showing the earnings the past year over and above expenses to have been \$3,357.68.

✓ The amount of cash on hand, per report of last year, ending Nov. 30, 1848, was \$4,374.02; cash received per amount due for stone, \$546.40; received under appropriation to pay quarry debt \$15,000; received on amount due for lime last year, (collected this year,) \$1,092.28; received from city of Columbus for broken stone, \$175.77; received from contractors and others, the past year, as before stated, \$30,910.18; showing the amount on hand, and the receipts the past year to have been \$52,098.65.

Of this amount there has been paid out, on account of stone quarry, \$15,290; amount due the City Bank, borrowed and reported last year on account of quarry, \$1,541.85; on amounts due from lime kiln, \$428.81; on account of repairing and improving shops the past year, \$495.03; on account of gas fixtures, \$150.96; on account of tool shop, \$260; on account of interest due on stone quarry amounts to \$229.84; on account of escaped convicts, \$6.50; on account of disbursements the past year as before stated, \$29,616.07,

making total disbursements \$48,019.99. Leaving on hand Nov. 30, 1849, \$4,078.66.

*Illinois*, 1849.—*Received*: Office, \$614.77; cooper's shop, \$3,230.99; wing to cooper's shop, \$539.25; smith shop, \$3,150.77; hospital, \$1,731.29; warden's house, \$3,800; cistern, \$120; gutters and spouts to eating house, \$30.07; privy and sewer to river, \$1,500; twenty tables and forty benches to eating house, \$48; new floor and joists to do., \$81; one abutment to wall, \$66; total, \$14,912.14. This prison is leased, and there is no note of expenditures.

*Michigan*, 1849.—*Received*: Balance on hand Nov. 30, 1848, \$104.95; State treasury, \$12,000; labor contractors, \$7,749.11; convicts' deposits, \$40.04; State Prison, rent, tailoring articles sold, &c., \$439.24; visitors, \$239.52; balance due, \$262.28; total \$20,835.14.

*Expended*: Officers' and keepers' salaries, \$5741.66; guards, \$3,064.81; rations, \$2,858.46; clothing and bedding, \$1,399.91; building and repairs, \$4,337.52; wool, \$392.23; hospital, \$227.13; discharged convicts, \$252.92; convicts' deposits, \$70.93; pursuing fugitives, \$32.22; agents travelling expenses, \$5; oats and hay, \$147.46; miscellaneous, 2,154.89; total \$20,735.14. There appears a discrepancy of \$100 in within account not accounted for.

*Kentucky*, 1849.—*Received*: For sale of bagging, \$22,805.96; sale of articles at prison, \$8,472.67; lock up fees, \$95.00; barter manufactured articles given in exchange, \$8,126.36; bills payable, notes given for raw material purchased on time, by written permission of the Governor, \$6,377.37. Total, \$45,877.36.

*Expended*: Raw materials, \$31,795.33; provisions, \$3,522.93; building materials, \$983.91; fuel, \$1,486.99; clothing, \$1,269.70; Hauling, \$1,688.92; salaries, \$3,553.48; disch'g'd convicts, \$310.00; stationery \$116.64; water privilege and gas for prison, \$224.42; moral and religious instruction, \$133.50; turnpikeage, \$185.60; postage, \$11.55; interest, \$518.81; Commissioners, \$75.00; fuel for Governor, \$30.75. Total, \$45,877.36. Resources and liabilities of the Prison on the 1st day of December, 1849.

*Resources*.—Aggregate amount of accounts and notes due the Prison \$16,905.52; due from the commonwealth, (balance to debit of

account,) \$7,359.23; bagging, &c., in hands of commission merchants at Louisville, on consignment, estimated to realize \$2,430.30; stock on hand, raw materials and manufactured articles, not inventoried, supposed aggregate value, (keeper's estimate,) \$18,000.00; making the total resources \$44,695.05.

*Liabilities.*—To N. Craig, bal. to credit of acc't for advances, &c., \$19,730.56; to various individuals, for sundries furnished institution, accounts not rendered, estimated at \$3,231.39; officers and guards, for salaries due and undrawn, \$2,408.67; to bills payable, notes given for purchase of raw materials on credit, authorized by written consent of the Governor, \$6,377.37; to commission merchants, for advances on consignments of bagging, \$1,414.70. Total liabilities, \$39,432.99; making the probable profits from the 1st day of March, 1849, to the 1st day of December, 1849, \$5,262.06.

#### 4. ADMINISTRATION AND SUPERVISION—Comprising the internal regulation of prisons, the qualifications of officers, &c.

##### DISCIPLINE.

*New Hampshire S. P., 1849—Warden's Report.*—By a strict adherence to rules, and promptly bringing any violation of them to the notice of the convict, I have been enabled without any unusual severity, and very little of punishment, to preserve a discipline to me satisfactory.

*Vermont S. P. 1849.—Directors' Report.*—The directors are very favorably impressed with the order, neatness and cleanliness which appeared in every part of the establishment, and also with the discipline and police regulations of the prison.

*N. Y. Inspectors' Report, 1849.*—The total number of punishments inflicted during the last year was, at Auburn, 295; at Sing Sing, 293, and at Clinton, 168. The number of punishments at Auburn prison from Jan. 12 to Dec. 1, 1848, was 282; at Sing Sing prison, in 11 months of 1848, Jan. to Nov. inclusive, 351. At Auburn, the average number of punishments per month, in proportion to the whole number of convicts, was, in 1848, about 1 in 16; in 1849, about 1 in 20; the returns for 1848 being less than a year, and in 1849, the total number of convicts having been increased.

At Sing Sing, the average number per month, in 1848, was 1 in 20; in 1849, 1 in 22½. The reduction in 1848 from the previous year, under the sanguinary system, it will be remembered, was more than one-half. At Clinton, the average number per month, for the last year, was nearly 1 in 11.

*Auburn—Warden's Report.*—The principal points to be secured in the proper management of convicts are, that the officers having direct charge of them, be intelligent men, prompt in the observance and discharge of their duties, always vigilant, and to preserve perfect non-intercourse with them, except so far as may be necessary in giving instructions in relation to their employments. By these means I am perfectly confident that the number of punishments can be materially lessened; proper vigilance will prevent the commission of offences deserving correction. The old adage, I think in this case, is very applicable, "an ounce of prevention is worth a pound of cure."

*Sing Sing S. P., 1849—Warden's Report.*—Convicts who are well watched by the prison officers seldom subject themselves to the necessity of punishment. Constant and untiring vigilance on the part of the keepers is more effective in maintaining regular deportment and good order among the convicts, than all the punishments that could be visited upon them.

*Georgia S. P. 1849—Keeper's Report.*—The prisoners generally have been obedient to their officers, industrious and persevering in their different vocations, exhibiting a degree of cheerfulness and contentment rarely met with in similar places.

*Virginia S. P. 1849—Directors' Report.*—The discipline of the institution has been well sustained by the superintendent and his assistants, and the general management of all its affairs has been conducted with great good judgment and fidelity. In contemplating the future, the board of directors fear this condition of prosperity cannot be relied on.

*Indiana S. P. 1849—Warden's Report.*—It is suggested that the warden, or some other disinterested person, ought to be the keeper of the state prison, instead of the individual who is entitled to the services of the convicts.

## CORRESPONDENCE OF CONVICTS.

*N. Y. Auburn S. P., 1849—Chaplain's Report.*—During the first ten months of the past year, the correspondence was conducted chiefly by the chaplain, under the general direction and supervision of the warden. During this period, about 325 letters were written to their friends, for about three hundred convicts.

A close observation for the last two years, of the effect of letter writing upon the minds of the convicts, has served to increase the conviction formerly expressed, that the practice is decidedly beneficial in its tendency, and ought not to be discontinued, nor diminished to any considerable extent. The effect of entire non-intercourse would be extremely injurious to all who have friends, especially so to those who are possessed of ardent temperament, and also to those who are confined on long sentences. It almost uniformly induces melancholy, recklessness, hatred, or revenge. Those who do not for a long period hear from their friends, often give vent to their feelings in such language as the following: "Well, they have all forgotten me"—"No one cares for me, now"—"Even my wife has forsaken me, and my own children will soon forget me."—"If my friends do thus cast me off, I shall never go near them again."—"Well, it is no matter what I do now, I cannot be more despised or worse off, let me do what I will."

It is easy to see that such a state of mind is altogether unfavorable to mental or moral improvement.

*N. Y. Sing Sing S. P., 1849—Chaplain's Report.*—Since the date of my last report, which is a little less than a year, 230 convicts have written letters to their friends. And the whole number of letters written is 348. Most of these letters are to wives, or parents, or brothers or sisters, and express much tender affection and solicitude, reminiscence and hope. All this encourages the hope that when they are again restored to their families, the recollection of their imprisonment and their domestic enjoyments will operate to make them better members of society than they were before. But it will be observed that only about one-third of the whole number of convicts have written at all. The remaining two-thirds are either without particular friends, or are indifferent in their feelings toward them, or are ashamed to let it be known where they are; or, feeling themselves degraded and perhaps abandoned by their friends, they seem to have

repudiated human society, and to have no settled expectation of ever again partaking of the pleasures of social life.

*N. Y. Clinton S. P., 1849—Chaplain's Report.*—In the correspondence of prisoners with relatives, my letters have averaged about two per day, (Sabbaths excepted,) the rules of this prison allowing each convict to write a letter every quarter.

*New Jersey S. P., 1849—Warden's Report.*—I have continued to encourage a proper correspondence between the convicts and their family relations; and for such as are incompetent to do it for themselves, I have written nearly two hundred letters, during the year. It is evident that the best moral purposes are thereby advanced. There is never reason to despair of a man's reformation while the pulse of domestic affections can be kept beating warm and free. If you can keep alive his love for parent or wife, or children, you keep before his mind the strongest motive to regain a respectable standing in the world. He may feel deeply for those he loves, even when he has apparently but a faint regard for himself. I have often found that the best sensibilities can in this way be reached, when other means have failed; and on this account, especially, I am always glad to notice, by letters sent and answers received, an interchange of affectionate regards between the prisoner and his family. In no situation can a man feel so keenly a cold neglect. In a few cases, I have written, in my own name, in behalf of men who seem deeply wounded by the manifest coldness of their friends. Relatives ought to cherish and to manifest so much of compassion for the fallen as may aid their resolutions of amendment, instead of indulging that stern repulse which tends more than any other cause to induce moral anguish and despair.

*Western Penitentiary, Pa., 1849—Chaplain's Report.*—The prisoners have been allowed this year, as formerly, to correspond by letter with their friends or relatives. Many of them take great delight in this privilege, and are careful not to forfeit it by bad conduct. It is thus made an auxiliary to the discipline of the prison, helping to preserve good order, and a part, also, of moral education in the prison; for rightly conducted correspondence, with absent and beloved friends, makes the heart better.

## 5. COMPARISON OF PRISON SYSTEMS.

## SEPARATION AND CONCREGATION.

The warden of the Maine S. P., in his report for 1838, makes the following suggestions in regard to separation as the settled policy of that prison for certain classes:

It will seen by the tables that three are in solitary. These convicts are unproductive, as the cells which they occupy are common cells, and not sufficiently large to labor in. There should be some suitable place erected for those convicts who are sentenced to solitary confinement and hard labor agreeably to the law of 1844. There is now none, and they occupy a common cell. This cell, though made comfortable, being well lighted and ventilated, is quite too small for labor, and sufficient exercise, which is ever necessary to health.

The Inspectors of the same prison say:

The alteration in the law, inflicting solitary confinement in addition to hard labor upon the murderer, is a good and just one, and should not be altered, although many have recently appeared much opposed to it, and have endeavored to convince the public that it is "barbarous;" that it is a disgrace to our statute books, and that the old law in relation to hanging is preferable, being more civilized and humane. The sentence may be harder upon the murderer, but after having taken the life of a fellow being,—when society, not willing to tolerate him any longer, has expelled him forever—when his imprisonment is not for the purpose of making him a useful member of society after a few months confinement, but to give him an opportunity to review his past life and prepare himself for a future state of existence,—there can be nothing unjust or barbarous in a law that requires him to be separated from others who are confined in prison for comparatively slight offences—to a law that applies in all cases where the "separate system" is adopted,—a system that has been faithfully examined and highly approved by many philanthropists and prison disciplinarians, not only in this country, but in Europe—by those whose opinions are entitled to respect, whose opportunities for observation and comparison have been great, whose whole object has been to ameliorate the condition of the convict, to assist in his reformation, and to protect society against the repetition of crime.

In the "congregate system" the inmates of our prisons have not necessarily forfeited all their rights. They have a claim to protection from injustice; and shall we send into their midst the murderer, with the blood of a fellow being fresh upon his hands? If the influence of friends and society, aided by the fear of punishment, cannot stay the hand of the murderer, surely he may be easily provoked to repeat his acts of violence and blood after having been arrested in his guilt and placed where the law can do no more. And the inspectors of 1849 recommend an alteration of the law so that murderers should not be allowed to associate with those who are confined for comparatively trivial offences. Such a distinction seems to be absolutely necessary; even justice to converts whose crimes are against property alone, requires such a regulation, and the pecuniary interests would be promoted by such an arrangement.

If reformation is an object of confinement, surely but little can be expected so long as the cold blooded murderer is looked upon not as particularly guilty, but as unfortunate; so long as he is treated in such way as, if possible, to make him forget his crime, and he is allowed to associate with other convicts.

The inspectors are aware that there is great diversity of opinion in relation to prison discipline. While one party is strongly urging constant separate confinement, as the best calculated to secure the public and reform the guilty, another as strongly advocates the congregate system, with full confidence that every convict is capable of being thoroughly reformed, if means are used to operate upon his better feelings. The one party believing that imprisonment is intended as a punishment for crime so far as the criminal is concerned, and for the protection of the public against the thief and the murderer, while the other as strongly contends that the only object of imprisonment is the reformation of the convict. While such is the feeling in relation to prison discipline, and while such vigorous efforts are made to abolish capital punishment, the protection of the public, duty to other convicts, and justice to the murderer, seem to require that he at least should be subjected to separate confinement. Surely, if reformation is the object of his imprisonment, it can as well be accomplished in separate confinement as elsewhere.

If capital punishment is to be abolished, and those now in our jails awaiting trial for murder should be sentenced to the prison, the comparative number of those under life sentence would be great, and

their influence over other prisoners would probably lead to disastrous results, and the expense of a sufficient guard to take care of them would more than pay for their support in separate confinement.

The inspectors of the Connecticut S. P. remark as follows:

At present there is no place in which persons sentenced for murder can be employed, except in the common workshops, when they can again, if they wish, gratify their infernal malice, and wreak their vengeance on society, in the persons of the officers in charge. There should be provided for these persons, a place where they can be kept, in safety to the keepers and overseers, and for this purpose, solitary shops should be furnished for them; for no person who has shown a disposition to take the life of another, should have the power to make the second attempt—certainly not, if his punishment is not to be increased by the commission of such a crime.

*Michigan S. P.—Inspector's Report, 1849.*—The officers of the prison felt that it was due to the cause of humanity, to make a statement to the last legislature, in relation to the condition of convicts sentenced here to solitary confinement for life. These men were confined in small cells, situated in the body of the main block, badly lighted, and without any means of ventilation, except through a small iron lattice door. It was evident to all, that they were rapidly losing, not only their physical, but mental faculties, and that thus situated, could not long survive.

The result of the deliberations of that body upon the subject, was the passage of the following act, to wit:

“Be it enacted by the Senate and House of Representatives of the state of Michigan: That the convicts which have been, or may be sentenced to solitary confinement in the state prison, at hard labor for life, may be released from solitary confinement, and employed as other convicts are, whenever, and for such times, as the inspectors may by resolution direct, until such times as proper cells are prepared, to enable such sentence to be fully enforced.”

The annual message of the Chief Magistrate to the Legislature, adverts to the established code of Prison Discipline of the Commonwealth, and estimates that is “worthy of serious consideration, whether by the adoption of a system of *solitary* confinement, the severity of the punishment authorized by law does not injuriously

affect the mental and physical vigor of the prisoner; and the frequent recommendations to the executive for the pardon of convicts afflicted with ill health and imbecility, would appear to require a modification of the present law.”

Some members of the present Board of Inspectors have served for more than twenty, all of them for many years. Their only recompense, the usefulness and growing prosperity of the Institution. Their best exertions have constantly been devoted to these ends. These exertions, they flatter themselves had, with the faithful cooperation of the officers of the Prison, been crowned with complete success; illustrating in their onward march a most triumphant vindication of the Pennsylvania system of Prison Discipline.

To its usefulness—its beneficence—its entire and complete exemption from all, and every one, of the oft repeated charges against it, this Board, from year to year have borne testimony—testimony, sustained and supported by the statistics of the Prison, and by the reports of its officers, gentlemen of character and reputation beyond all suspicion or question. Not only have the Inspectors and officers of this Prison borne their testimony in its favor, but are fully supported by the Annual Reports of the Eastern Penitentiary in all that has been so often referred to by them as the signal advantages of the Pennsylvania system over all others, not only as regards the community at large, but as it relates to the unhappy subjects of its discipline in their mental and physical condition.

We therefore, quote from the annual reports of the Eastern Penitentiary, January 1st, 1840, the words of Dr. Darrach, the Physician of that Institution, as follows—“The cell of the prisoner is lighted and ventilated, its stone walls and iron door is the end of the law to him, and all the rest is kindness; the visits of the Keepers, Superintendents, Wardens and Inspectors, destroy the ennui of solitude and make it only a separation from idleness and vice. He is employed in profitable work. When he is sick, prompt medical aid is afforded and nursing; six days he labors and on the Sabbath he rests, reads his bible and listens to the voice of his Moral Instructor who has often visited him. There cannot be much in *such solitude* and confinement to induce insanity.” These statements on the admission and dismissal of prisoners show that, during the past year, this Institution has received more disease from the community and discharged less than in 1838 and 1837. The admissions in good health have been 56.65 per cent.—the dismissions 81.31 per cent. making a

surplus of health from the prison of 24.76 per cent. The admissions in ill health have been 43.35 per cent—the dismissions 19.87 per cent, making a surplus of 23.48 per cent of ill health from the community; so that the Eastern Penitentiary has been, much more than the last year, the recipient of disease and the dispenser of health. The truth of this remark is rendered more evident when the items of sickness themselves, of the received and discharged prisoners, are made the subjects of consideration and comparison. The one hundred and seventy-nine admissions introduced one hundred and twelve items, a majority of which belong to serious chronic diseases of vital organs, whilst the one hundred and fifty-one dismissions took out into the community only thirty-two items of sickness, and which were chiefly only ailments and disorders, many of which being either introduced or in prisoners admitted in imperfect health;” and the remarks of Dr. Hartshorne, the successor of Dr. Darrach, in his annual statement to the Board, December 1844, says:

“As far as my individual opinion is concerned, all that I have seen and heard, during my fifteen months’ residence in daily contact with the unfortunate subjects of our observation, has only increased the confidence which a better understanding of the question soon forced upon me, that the horrors of seclusion, as practiced in the separate cells, and compared to the modified separation of the silent system were altogether imaginary, and that the fears in respect to the effects upon the reason were equally groundless.

“Certain it is, that more than one instance has been presented to me, where the moral and reasoning faculties, in short, the whole tone of mind had been decidedly improved, under the chastening influence of a quiet and industrious seclusion from the haunts of vice, varied only by purifying intercourse, instruction, books, and respectable associates.”

Again, we refer you to the elaborate and enlightened communication of Dr. Given, to the board of Inspectors of the Eastern Penitentiary, for the year 1845. He remarks in relation to the “*Influence of the separate system on the mind*,” as follows—“At the date of my last report I declined giving any opinion on this important question, not deeming the experience I then possessed, or the special attention I had been able to devote to it, such as to remove all doubt from my own mind or that of others, that conclusions so hastily formed might not be very much modified, if not entirely changed by a longer residence in the Institution. For the last eighteen months

my professional services have been entirely devoted to the Eastern Penitentiary; the influence of its discipline upon the minds of the prisoners has been daily the subject of my thoughts or the object of my studies, and often the theme of conversation with highly intelligent individuals, both in favor of and opposed to the system; and the irresistible conviction forced on me is,—that *separate confinement with labor*, &c. as adopted in this Institution, is not prejudicial to the mental health of its inmates. It certainly cannot be denied that a larger ratio of insanity has appeared within the year, than the very imperfect statistics of this subject give for the general population; but the question as to which produces a greater or less amount of that disease, I have never considered as resting between equal numbers of the community and the inmates of a penal Institution, but as entirely between the rival systems of Auburn and Pennsylvania. For to expect from an assembly of prisoners, *no matter what the form of discipline to which they are subjected*, the same proportional amount of mental health as is enjoyed in *society*, is, in a degree to put on a par, as predisposing to insanity, *drunkenness and sobriety, anxiety and content, remorse and the consciousness of a well spent life*—in a word—*vice and virtue.*”

Report, 1845. “The oft-repeated charge of stultifying the mind, brought against this Institution, I consider as arising from the well-founded dread entertained of the once contemplated system of solitary confinement *without labor*, having been blindly transferred to another, having no resemblance but in name. So far as my observations go, I am not aware of a single influence indispensable to the discipline of a separate imprisonment that would be likely to derange a healthy mind.”

Report, 1846. “Having completed a residence of two and a half years within the walls of the Eastern Penitentiary, and during that period devoted myself to the observation of its effects on the health of its inmates, I do not hesitate to say that the separate system of imprisonment, when *properly administered*, is at once the most humane and enlightened, and as safe as any in use, as it regards the well-being of the minds and bodies of the individuals subjected to its discipline.”

The board of inspectors of the Eastern Penitentiary, in their report of 1844, say, “It is with sincere gratification that the inspectors assure the Legislature that from sixteen years experience, and the adoption of such improvements as much experience has suggested



in the practical operations of the Pennsylvania system of prison discipline, separate confinement with labor, all that its founders and early advocates predicted would enure from its adoption, have been fully and entirely realized." "The inspectors have felt themselves called upon at this advanced stage of successful operation of the penal code in Pennsylvania thus to report to the Legislature. They do so, confident in all their opinions as conscientiously expressed, and in conclusion, they respectfully invite the Legislature now in session to examine for themselves in any way and at such time as in their wisdom shall seem best, an Institution which will stand a monument of the benevolence and wisdom of Pennsylvania, and the glory of her people."

We would adopt the language of the inspectors of the Eastern Penitentiary in their report for 1840, and say, "our confidence in the system of separate confinement continues undiminished, and to all who doubt, we say, come and see."

Are not these references conclusive? On whose testimony should the Legislature and Executive rely for correct information if not on such as are intimately conversant with the details and results of the system? Certainly not on the testimony of its untiring opponents, certainly not on those who have prejudged and long condemned it.

It has been the pleasure of the unwearied adversaries of the penal code of this Commonwealth to denigrate, or rather as they would wish, *stigmatize* it as a completely *solitary* system. We deny the fact and the imputation. Our system is *separate*, not *solitary*. Solitary, truly, so far as separation from the vicious association of their fellow convicts is concerned, and who, we ask, would wish it otherwise?

The inspectors have directed their special attention and instituted the most searching scrutiny into the very points at issue. For the information of the Legislature, they would therefore most respectfully refer to the annual reports of the warden, physician and moral instructor. Especially would they beg leave to refer you to their annual report of January 1st, 1848, and physician's report of the same date, with the statistics of mortality for the last ten years, in which the eminent gentleman having charge of the medical department of the prison, states his decided conviction, "that the system has no *beneficial influence* upon the mental health of the prisoners. The wants of his social and moral nature are amply provided for by

the visits of a kind overseer at least three times a day—the regular call of the warden to see that all is right—to hearken to his complaint, and instruct him in his duty, and the diurnal round of the moral instructor in his labor of love, as well as other privileged visitors for religious instruction and consolation. True, he is shut out from the companionship of the wicked, but will it be contended that evil and degrading intercourse is necessary to preserve either physical or mental health. Rarely one hour in the day passes by without intercourse for instruction in the rudiments of education and moral culture, by the visits of the warden and other officers of the prison."

The medical report of Doctor Dale, referred to above, conclusively shows that the Pennsylvania system *properly administered* is in no way prejudicial to the mental or bodily health of the prisoner, and is a triumphant answer to all the objections of its opponents, whilst it exposes the fallacy of the views of theoretical philanthropists and injudicious friends of the system. With the facts which have transpired under our own immediate observation and from our long experience and careful scrutiny into the effects of its operation, we are convinced that the Pennsylvania system as at present existing, *conscientiously and prudently administered*, fully provides for the moral, mental and physical well being of the prisoner—and though it has been for years the subject of systematic animadversion and discussion in various quarters, yet notwithstanding the obstacles thrown in the way of its diffusion, it has been steadily commending itself to the favor not only of other of our sister states, but some of the governments of Europe.

With regard to the physical health of the prisoners, their corporeal powers are never *overtaxed*. Every possible care is had to cleanliness—wholesome and abundant provisions supplied at stated intervals—the air and light of heaven freely and sufficiently admitted, and their health watched over with the most scrupulous and assiduous attention.

The Board of Inspectors are reluctant to occupy your time by multiplying arguments on the subject, going to prove that no system heretofore devised, bears any sort of comparison with the Pennsylvania system in the security it affords for "the mental and physical health of the prisoners." Its adversaries have raised up a phantom in the application of the term "solitary" to the Pennsylvania system, upon which their whole argument with regard to its injurious

influence on the "mental and physical health of the prisoner" is based.

"The mental and physical health of the prisoner," as heretofore intimated, has at all times been to the Board of Inspectors, an object of their constant and peculiar solicitude. The best medical and moral treatment has always been employed to secure the one and the other.

They have not in their reports to the Legislature concealed or misrepresented facts, or amplified favorable observations for effect. They trust they have not deceived themselves or been deceived by others in the conclusions at which they have arrived, having the most perfect confidence in the representation of the gentleman whose more immediate duty it is to watch over the mental and physical health of the prisoners. The Board of Inspectors, on former occasions have been called upon to controvert the objections to the Pennsylvania system of Prison Discipline, on the score of its injurious influences on the mental and physical health of the prisoners, and the more these objections called their attention to the examination of the questions involved, the more thorough their convictions became, that they were wholly groundless.

The Physician of the Western Penitentiary in a special communication upon this subject, holds the following language, January 12th, 1850.

It was with great surprise that I read the statement in the Governor's message, that "frequent recommendations" are made "to the Executive for the pardon of convicts afflicted with ill health or imbecility of mind"—so "frequent" as to make it "worthy of serious consideration, whether, in the adoption of a system of solitary confinement, the severity of the punishment does not injuriously affect the mental and physical vigor of the prisoner," so as "to require a modification of the present laws."

It does not fall within the duties or privileges of the undersigned, as the medical attendant upon the prison, to read the letters of the Board of Inspectors to the Executive, recommending prisoners for pardon, but he is well assured that the Board have very rarely recommended a convict to executive clemency, on the ground of "ill health or imbecility of mind," based upon his opinion as a physician. There has been no necessity for applications for pardon on

such grounds. The regular reports, and the results of the observations of the members of the board themselves, have shown an amount of physical and mental health within this prison not surpassed, if equalled, by that enjoyed in any prison, under whatever professed system conducted; and when the circumstances and character of the subjects of prison discipline are taken into consideration, not surpassed by that enjoyed in our workshops and manufactories without the prison. Nor do I, for a moment, believe that the Board over which you preside has made in the face of facts, and facts too published to the world in their own official reports, such applications for pardon. It would be an act of inconsistency of which, I am sure, they are incapable.

There appears to have been, during the five years, application made for pardon for forty-seven (47) convicts. In thirty-six cases, no reference is made to the state of their health. In eleven cases, a feeble state of physical health is made more or less the ground upon which Executive clemency is asked—In not one case is *insanity* or *imbecility* of mind mentioned.

Of the eleven prisoners for whom pardon was asked, and reference made to their health, the first is No. 987, whose "health" is characterized as "indifferent." He had been in prison 2 years and 4 months, and had but sixty days to terminate his sentence. The chief reason for the application appears to have been that his widowed mother had come "all the way from Illinois," to take him home, and the "indifferent health" was but a secondary consideration. He had a small fistulous abscess—a disease certainly not chargeable to the "separate system," so as to demand a "modification of the laws."

Next in date is No. 966; among other reasons, the Board urged the fact that there had been paralysis of the muscles of one side of the face, and they "feared the loss of an eye." He had this muscular, local paralysis, but was much improved. He frequently urged me to interpose in his behalf, but I always refused and told him that his confinement had nothing to do with his disease, and that he could as readily be cured in prison as elsewhere. He left the prison in good health, except a slight remnant of the paralysis which did him no harm. He was in prison 2 years and 7 months.

No. 857; the ground of appeal in this case, was bad health humanity required it. The prisoner was a man of very feeble intellect, and had been an epileptic long before he was received into the

prison. His sufferings were not the effect of his imprisonment, but had their origin long anterior to his being under the disciplinary influences of the "separate system." A prison was not the place to which a suffering imbecile should have been at first consigned or subsequently detained in. He was in prison 2 years and 9 months.

No. 1019, had suffered severely from scrofulous disease; was 2 years in prison. While the comforts and solaces of home and friends, whose efforts to obtain a pardon the board seconded by their application, would be more favorable to the restoration of health, it affords no proof that this particular system of imprisonment induces such disease.

No. 1016, a man of full, plethoric, apoplectic constitution, suffered very much from congestion of brain, and this state of things was urged as an additional reason for pardoning a man, intellectually greatly improved, and believed to be "thoroughly reformed." He was in prison 2 years and 4 months.

No. 1048, was in a very exhausted state when pardon was applied for, from immense abscesses which, at different times, had formed in the thigh,—*very few such cases have been found resulting from the "separate system."* The strong ground—the impelling motive for seeking his pardon was the belief that he was a reformed man—a christian. He was 2 years and 5 months in prison.

No. 1062; his was a case of hereditary consumption. Gov. Shunk himself, in visiting the prison, suggested a pardon, and wrote to the Secretary of State, directing one to be forwarded to the prisoner. He was 2 years and 2 months in prison.

No. 1130, was also a case of hereditary consumption. The two last prisoners labored under diseases too sadly, often found without the walls of the prison. He was in prison 1 year and 3 months.

No. 1198; among other reasons, and these the most weighty, "declining health" is mentioned as a ground for soliciting executive clemency. His health was no worse in the prison than before his reception, being subject to cough and severe rheumatic attacks. He was in prison 11 months.

No. 1206; he was of feeble constitution, and had been subject to epilepsy before reception. He was in prison 9 months.

No. 1112, is represented in the letter of the board, as "being in impaired health," "and should his confinement be continued any great length of time *may* become irrecoverable." In this case there was some *mistake*. His health was not "impaired." He was not pardoned till nearly five months after the application, and left the prison in good health.

I have not time to make any comments, gentlemen, but *respectfully submit the subject to your consideration.*

*New Jersey, 1849—Moral Instructor's Report.*—Ten intellects are strengthened where one is weakened under the effects of the system of separate imprisonment.

*Canada Penitentiary—Commissioners' Report, 1849.*—We recommend to your excellency, the erection of a sufficient number of cells to apply the separate system to every newly arrived convict; while so confined, the convict to be furnished with secular instruction and labor, and to be earnestly dealt with by the chaplain and warden. The length of this ordeal, we think, should be left to the discretion of the prison authorities, but should in no case exceed six months; and the termination of it might, in many cases where mitigating circumstances existed, it is to be hoped, offer a favorable opportunity of exercising the royal mercy with benefit to society and to the criminal.

Were it possible to judge correctly of each man's character, classification would form the next step after the ordeal of separation had been undergone. But this system, as far as it has yet been attempted, has depended on so many elements—as, for instance, the nature of the convict's crime, his previous character and position, his conduct in prison, and the prospect of his reformation,—as to make a correct classification almost impossible, if not absolutely so. No clear principle can be laid down to guide such a system; the whole must depend on the judgment and discretion of the warden. But unsuccessful as the many experiments to carry out a complete plan of this character have proved, we are not yet without some hope that it might be partially introduced in amelioration of the congruate system.

We recommend that the employments selected for the prisoners be as little diversified as possible, and that they may be such as can be

carried on within doors, and with the least needful communication between the prisoners. It is exceedingly desirable that each gang should occupy a separate apartment, and that the possibility of communication between them should be cut off; fortunately, the construction of the prison work shops will render this easily attainable. In rating off the convicts from the separate cells into gangs, in the hands of a judicious warden, we are persuaded experiments may be made in the way of classification, which will prove highly advantageous; and while we refrain from suggesting any rules for the regulation of the duty, we would earnestly urge its high importance on the authorities of the penitentiary. Were it possible to keep every gang separate and secluded from the rest of the prisoners, that worst evil of the congregate system, viz: that the convict is known to so many criminals on his return to the world, would be partially avoided.

We recommend that besides employing the separate cells on the first reception of the convict, they be used as a means of discipline; not as a frequent punishment, but in the case of continued refractory conduct on the part of any convict, to enable the warden to deal with him individually and endeavor to produce a change.

*Massachusetts's S. P.—Inspector's Report.*—The present number of convicts in the prison, is three hundred and ninety-three, being more than at any former period since the prison was established. The number of cells in the new prison, as it is called, which is on the plan of solitary confinement by night, is three hundred and four, leaving eighty-nine convicts to be lodged in the old prison, where a number, as before suggested, are placed together in the same cell at night.

The old and the young, the experienced offender, and those who may have erred for the first time, and who under other influences, might be brought back to the paths of virtue and to penitence, are thrown promiscuously together at night, for deeds of darkness. Thus, each of these apartments, becomes a school of vice, under the instruction of experienced teachers, and from which may be expected to go forth, from time to time, many of the most dreaded and dangerous pests of society. The urgency of the case we are considering is manifest, and calls for instant action. It involves consequences of incalculable moment.

The following subdivisions seem not to be properly embraced under any of the foregoing heads, but are esteemed of sufficient importance to be here introduced.

#### LENGTH OF SENTENCES.

*Sing Sing—Inspector's Report, 1849.*—Committed for 2 years and under 3, 182 males, 40 females; 3 and under 4, 80 males, 12 females; 4 and under 5, 57 males, 4 females; 5 and under 6, 117 males, 11 females; 6 and under 7, 10 males; 7 and under 8, 33 males, 1 female; 8 and under 9, 8 males; 9 and under 10, 9 males; 10 and under 11, 107 males, 4 females; 11 and under 12, 2 males; 12 and under 15, 15 males; 15 and under 20, 12 males; 20 and under 25, 8 males; 25 years, 1 male; life, 14 males. Total, 655 males, 72 females.

#### SUMMARY OF THE FOREGOING.

It appears that, in the male prison nearly 5 in 13, and in the female 1 in 4 are white natives of the United States. 1 in 4 in the male, and 1 in 5 in the female are colored. About 4 in 11 in the male, and 5 in 11 in the female are foreigners. 1 in 109 in the male, and 1 in 72 in the female were under 16 years when committed; 1 in 5 in the male, and 1 in 4 in the female were under 20 years; 7 in 11 in the male, and 3 in 4 in the female were under 30 years; 10 in 11 in the male, and 17 in 18 in the female were under 40 years; 1 in 30 in the male, and 1 in 36 in the female were 50 years when committed. 1 in 7 in the male have been committed more than once. 16 in 19 in the male, and 11 in 12 in the female are here for crimes against property. 3 in 19 in the male, and 1 in 12 in the female for crimes against the person.

#### TERMS OF SENTENCE.

At Sing Sing prison, the terms of sentence of 658 convicts in the male prison, (not including 14 sentenced for life,) average 5 years 8 months and 12 days; 337 of the number, a little over one half, are for 5 years and over, and 152 are for 10 to 25 years.

At Auburn prison the terms of 596 convicts, (not including 13 sentenced for life,) average 4 years, 5 months and 18 days; 228 of the number for 5 years and over; 76 from 10 to 22 years. Of 296, (not including 2 for life,) received last year, the average is 3 years,

11 months and 12 days each; 84 for 5 years and over; and 25 for 10 to 20 years. If from the number received during the last year, 44 who were transferred from other prisons, whose average sentences were 6 years and 6 months, be deducted, the average of the 252 sentenced within the year will be only 3 years, 6 months and 1 day.

At Clinton prison, the terms of 123 convicts, (not including 1 sentenced for life,) average a fraction less than 4½ years; 49 of the number are for 5 years and over; 12 for 10 to 20 years.

The public sentiment of late years, following out the idea 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 sentence, 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 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 or 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, 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, we doubt if a two or three years effort will not be as effectual as though 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. Inattention is unfavorable to both.

*Auburn—Chaplain's Report.*—That there may be those in our prisons, who are innocent of the charge on which they are convicted, and that many more are committed on much longer sentences than is desirable, is freely admitted and greatly to be regretted.

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. There are a considerable number in the prison who have been confined from 4 to 8 and 10 years, on first offences, connected with which it does not appear that there were any peculiar aggravating circumstances.

*Western Penitentiary, Penn.—Inspector's Report, 1849.*—In several of the annual reports made to the Legislature, attention has been called to that part of the penal laws of the Commonwealth, which directs the different terms of imprisonment. It is a fact in the history of our criminal law, not now introduced for the first time, that when the separate system was adopted, the sentences prescribed for the several crimes and misdemeanors were not sufficiently graduated to the increased severity of the new system. In regard to many offences the maximum sentences remained the same under the new system as under the old, while, in point of severity, the two modes of punishment will be set down by every rational mind as vastly different. There are few men of full experience on the subject, who would not prefer to serve a sentence of seven years with the privilege of intercourse with others, than to remain half that time in separate confinement. In the opinion of the inspectors the subject continues to demand the attention of the Legislature.

*Maryland, S. P.—Inspectors Report, 1849.*—We respectfully solicit the attention of your excellency to the remarks in our last annual report, upon the subject of short sentences, and beg leave to say, that another year's experience has but served to confirm the views and opinions we then expressed and advanced.

*Virginia, S. P.—Director's Report, 1849.*—The radical change made in the minimum term of imprisonment for which a criminal may be sent to the penitentiary, will begin sensibly to be felt in the present year, and will, it is feared, continue from year to year to exercise a most unfavorable and increasing influence, on the discipline, prosperity and success of the prison. From time to time the policy of the state has vacillated on this subject. For a time two years was the shortest period for which any could be condemned to confinement in the penitentiary. Experience proved this to be too short a time within which to impose adequate and beneficial punishment on the offender. The minimum was then increased to three years, and so remained until recently. In the late revision of the Criminal Code of the state, a wide discretion is given juries who try men charged with crime, as to the term of imprisonment, running from one up to ten years in many cases. Short as the time has been within which this new policy has prevailed, enough has been already proved by it to demonstrate that in a few years the prison will be crowded with convicts, the majority of whom will not be sentenced for more than two years, and many of whom for a period not more than a single year. If the convict be guilty of a crime which should doom him to confinement in the penitentiary, surely that confinement ought to be for more than one year. In that short space of time, the work of moral reformation, which commends the penitentiary system to the public support, can hardly have been accomplished. The degradation of the convict is complete, by his conviction and confinement, while he is returned at the end of his one year's confinement to society without any improvement, moral or physical. By him, and by that society, no benefit is derived, further than the bare removal to prison of the offender for one year. He is discharged, indeed, when he is less capable of performing his duties to the community whose laws he had violated. In the term of one year he can have received but the most imperfect instruction in any business or trade; and during that time he will most generally have been a positive burthen and charge to the commonwealth. The penitentiary, instead of a prison for punishment and reformation, will soon become, under this system, a house of refuge for the desolate and worthless. In a few years its manufacturing operations will no longer prevent its being a charge on the public treasury. The want of mechanical skill in the convicts, will result in a wasteful and unprofitable use of the raw material furnished for manufacturing purposes, while the rude and imperfect work done by the mere apprentice, will render these manufactures unsaleable and almost worthless.

*Superintendent's Report.*—Unless speedy alterations be made in some of the provisions of the Criminal Code, the earnings of the prison will diminish for some years to come, as they have increased for the last eight or ten. In many cases the new Code provides terms of imprisonment much shorter than those in the Code of 1849, for like offences; while the latter soon proved entirely inadequate to the suppression of crime, or the improvement of offenders. Indeed, crime increased under its provisions to an alarming degree—the prison became more expensive to the State, and no evidence of an improved condition of offenders. These laws have been introduced and enacted from time to time, previous to the revival, with the exception of some amendments then made. The following three periods of time will exhibit the increase of crime under their influence, to wit: Prisoners received in the year 1812, 50; in 1813, 52; in 1814, 53; in 1815, 45; Total 180; average, 45; in 1816, 74; in 1817, 77; in 1818, 60; in 1819, 80; Total, 219; average, nearly 73; in 1820, 93; in 1821, 81; in 1822, 103; in 1823, 83; Total 360; average 90.

The Code of 1849 went into force on the 1st of January, 1850. Thus it will be seen that in twelve years, crime had doubled, being much too large a proportion for the increase of population. It was feared that crime had increased in a greater ratio among the colored than the white population. They were less qualified by mechanical skill to indemnify the commonwealth for the expenses of prosecution and punishment. The legislature provided by the act of the 31st of February 1823, that all felonies should be punished by stripes, sale and transportation. The legislature, after three years farther experience, became satisfied, of the futility of imprisoning white persons in the penitentiary for less than two years, and accordingly, on the 9th of March 1826, enacted that two years should be the shortest term for them. Free negroes continued to be transported until, by act of the 12th of February 1828, the Legislature provided, that instead of stripes, sale and transportation, they should be confined in the penitentiary for *not less than five nor more than eighteen years*. The transportation act was in force from the 1st day of August, 1823, to the 12th day of February 1828; but by a provision contained in the act of the latter date, several persons availed themselves of confinement in the penitentiary, in preference to sale and transportation. The following periods of time, with the numbers received, will shew the effects of the three systems for the punishment of free negroes. The transportation act was in force about four years and seven months. It may be counted as equal to four years; and be compared with four years before its commencement, and after its re-

peal, as a tolerably fair mode of ascertaining the relative effects of each system, to wit:

Free negroes and mulattoes received under the Revised Code of 1819, to wit.	Free negroes, &c., received under the transportation act of 1825, to wit.	Free Negroes, &c. received under the act of 1838.
In 1819, - - - 20	In 1824, - - - 0	In 1829, - - - 14
1820, - - - 20	1825, - - - 8	1830, - - - 16
1821, - - - 16	1826, - - - 9	1831, - - - 10
1822, - - - 27	1827, - - - 12	1832, - - - 9
	1828, - - - 1	
Total, - - - 83	Total, - - - 30	Total, - - - 49
Average, nearly, 21	Average for 4 years, 7½	Average, - 12½

"The act of the 9th of March, 1826, fixing the short terms for white persons to two years, after an experience of seventeen years, was altered by act of the 25th of March, 1843, and three years prescribed. This act, with that of 1828, (fixing five years as the shortest terms for free colored persons,) continued in force until the first day of June last, when the criminal code went into effect. From 1839 to 1842, both inclusive, making fourteen years, while the acts of 1826 and 1828 were in force, seven hundred and eighty-three persons of both colors were received; being an annual average of nearly fifty-six; while, from 1844 to 1847, under the acts of 1828 and 1843, a space of four years, two hundred and eleven persons were received, or an annual average of nearly fifty-three. Thus the averages have been as follows, to wit:

From 1812 to 1815,	4 years,	180 received;	average, 45
" 1816 " 1819,	4 "	291 "	" 72½
" 1820 " 1823,	4 "	360 "	" 90
" 1829 " 1842,	14 "	783 "	" 55½
" 1844 " 1847,	4 "	211 "	" 52½

"If the increase of population were taken into consideration, the contrast would be greater. It is proper, however, to remark, that one of the classes of crime, not punishable in the penitentiary, (petit larceny,) has been changed since 1819, so that it extends to the stealing of twenty dollars instead of four, as in 1819. This has necessarily subtracted a small number from the penitentiary roll of offences. But the introduction of new crimes will compensate for this loss. It may be said that very short terms of punishment are necessary to ensure convictions; but this is at best an imputation upon the moral character of our tribunals of justice and the people

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themselves, which is not well founded. On the contrary, my observation has led me to believe that all impediments which might be supposed to exist on the subject, have met an ample remedy in executive pardons.

All experience has proved, that *that* penitentiary system is best, which invariably imposes on each offender a term of imprisonment long enough to acquire a good trade, and fully refund the state for the expenses incurred in his restraint and punishment. Justice at least demands it; and as a general rule it should be observed. Otherwise the innocent may be always borne down with taxes to support the wicked in their rapacious experiments on society. While many imperfections existed in the criminal law previous to the first of June, and which have been greatly improved by the new code, justice authorizes me to say that this institution under those laws produced a greater moral influence by far, over the community, in prohibiting crime, than any other penitentiary in the United States, or perhaps in any existing civil government, has done.

"All offences which are not of a character to justify imprisonment in the penitentiary at least three years for white persons, and five for free negroes and mulattoes, had better be punished in some other way. Neither public justice nor individual security requires that the penitentiary should be filled up and encumbered with persons, who, from the shortness of sentences, have no hope of improving in, or learning a trade, and who will, therefore, feel but little inclination to try. Much better that such persons should be imprisoned in the county or corporation jails, and be saved from the ignominy of the felon. The expenses, in general, would be less to the commonwealth. It will be impossible for the penitentiary, crowded with a large class of such persons, to maintain a fair character, or reasonable prices for its manufactures; besides, the waste of raw materials in ineffectual attempts to teach them trades, would be considerable, and overbalance any good which might be derived from them."

TABLE F.  
Length of Sentences.

	Maine, (1848.)	N. Hampshire.	Vermont.	Massachusetts.	Rhode Island.	Connecticut.	Alabama.	Sing Sing.	Clinton.	New Jersey.	West'n Penit'y, Pa.	Maryland.	Virginia.	Tennessee.	Georgia, from 1817 to 1843, inclusive.	Indiana.	Ohio.	Maine, 1849.	Illinois, 1848.	Michigan, 1849.	East'n Penitentiary.	Kentuck.	
Life.....	10	5		25			23	14				5	12	51	25	9		10					
12 years.....																							
10 years.....																							
8 years.....																							
6 years.....																							
5 years.....																							
4 years.....																							
3 years.....																							
2 years.....																							
1 year.....																							
6 months.....																							
3 months.....																							
1 month.....																							
10 days.....																							
7 days.....																							
5 days.....																							
3 days.....																							
2 days.....																							
1 day.....																							
12 to 15 years.....																							
12 years.....																							
11 years.....																							
11 and 9 months.....																							
10 years.....																							
10 to 15 years.....																							
10 and 12 months.....																							
10 and 6 months.....																							
9 years.....																							
9 and 7 months.....																							
8 years.....																							
8 and 7 months.....																							
8 and 6 months.....																							
7 years.....																							
7 and 6 months.....																							
7 and 5 ".....																							
7 and 2 ".....																							
7 and 3 ".....																							
6 to 7 years.....																							
6 and 6 years.....																							
6 and 3 ".....																							
6 and 2 ".....																							
6 years and 4 months.....																							
5 to 6 years.....																							
5 to 6 months.....																							
5 and 8 months.....																							
5 and 6 ".....																							
5 and 3 ".....																							
5 and 2 ".....																							
4 to 5 years.....																							
4 and 5 months.....																							
4 and 3 ".....																							
4 and 2 ".....																							

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12 to 15 years.....	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15
12 years.....																							
11 years.....																							
11 and 9 months.....																							
10 years.....																							
10 to 15 years.....																							
10 and 12 months.....																							
10 and 6 months.....																							
9 years.....																							
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7 years.....																							
7 and 6 months.....																							
7 and 5 ".....																							
7 and 2 ".....																							
7 and 3 ".....																							
6 to 7 years.....																							
6 and 6 years.....																							
6 and 3 ".....																							
6 and 2 ".....																							
6 years and 4 months.....																							
5 to 6 years.....																							
5 to 6 months.....																							
5 and 8 months.....																							
5 and 6 ".....																							
5 and 3 ".....																							
5 and 2 ".....																							
4 to 5 years.....																							
4 and 5 months.....																							
4 and 3 ".....																							
4 and 2 ".....																							



TABLE F.—(CONTINUED.)

	Maine, (1848.)	N. Hampshire.	Vermont.	Massachusetts.	Rhode Island.	Connecticut.	Aburn.	Sing Sing.	Clinton.	New Jersey.	West. Pencil, Pa.	Maryland.	Virginia.	Tennessee.	Georgia, from 1817 to 1819, inclusive.	Indiana.	Ohio.	Maine, 1849.	Illinois, 1848.	Michigan, 1949.	East. Penitentiary.	Kentucky.	
4 and 5 months.....																							
4 and 3 months.....																							
4 and 2 ".....	6	6	1	56	2	1	33	33	6	13	3	6	6	15	12		7	7	7	5	4	30	
3 to 3 years.....							30	92				23			6								
3 and 10 months.....																							
3 and 4 ".....																							
3 and 3 ".....																							
3 and 2 ".....																							
3 years.....																							
2 to 3 years.....	1	18	61	5	74	6	95	10	9	56	48	14					7	12	7	11	33		
2 and 10 months.....							72	222				32											
2 and 8 ".....																							
2 and 7 ".....																							
2 and 6 ".....																							
2 and 5 ".....																							
2 and 2 ".....																							
2 and 1 ".....																							
2 years.....	9	9	69	5	133	36	36	21	12	12	83	49					9	10	5	22	15		
1 to 2 years.....																							
1 and 7 ".....																							
1 and 6 ".....																							
1 and 5 ".....																							
1 and 4 ".....																							
1 and 3 ".....																							
1 and 2 ".....																							
1 year.....																							
9 months.....				40																			
7 months.....	6																						
6 months.....																							
4 months.....																							
Law of Legislature.....																							
To be hanged.....		2																					
2 years 11 months.....								6															
2 years 9 ".....																							
2 years 6 ".....																							
4 years 9 ".....																							

1 and 6 months.....  
 1 and 5 ".....  
 1 and 4 ".....  
 1 and 3 ".....  
 1 and 2 ".....  
 1 year.....  
 9 months.....  
 7 months.....  
 6 months.....  
 4 months.....  
 Law of Legislature.....  
 To be hanged.....  
 2 years 11 months.....  
 2 years 9 ".....  
 2 years 6 ".....  
 4 years 9 "

## CAUSES OF CRIME.

*New York, 1849—Inspectors' Report.*—Of 609 convicts at Auburn prison, 317, more than one-half, were deprived of a home before they were 16 years of age; 86 were orphans, and 128 half orphans; only 30, or 1 in 20, had a good English education, and 126, or nearly 1 in 5, could not read at all; 338, more than one-half, were intemperate, while only 33 had practiced total abstinence; and the examinations on the subject exhibit a sad destitution of moral and religious culture.

Of 124 convicts in Clinton prison, 32, or about 1 in 4, could not read; and 68, considerably over one-half, are reported to have been intemperate.

The great leading causes of crime appear to be, early orphanage, ignorance, and intemperance. The want of early training which so generally exposes to crime, is one which free schools cannot fully reach, unless there be a power to search out and secure the attendance, and provide for the care of the children of the streets, which so abound in our large cities and towns, and to a more limited extent in our sparser population. For the other, and taking it in all its ramifications the more potent influence, that of intemperance, the laws provide, by committing its ministrations under public authority, to citizens of good moral character.

*Auburn S. P., 1849—Chaplain's Report.*—When it is considered that one-third of those now confined within these walls were "habitual novel readers before their imprisonment," and that very many of them declare that they regard novel reading as one of the incipient causes of their downfall, it is most deeply to be regretted that in an institution designed for their reformation, these men should still be exposed to the corrupting influence of that insidious poison which has already proved detrimental to their minds and morals.

*Western Penitentiary, Penn.—Warden's Report.*—From the year 1842, there was a gradual decrease in the number of prisoners received, owing without doubt to the salutary influence of the temperance reformation. Within the last year the increase has been more rapid than the decrease during the former time, owing to the increase of intemperance

## INCREASE OF PRISONERS.

*Massachusetts S. P., 1849—Warden's Report.*—There are 24 negroes and 9 mulattoes now in the prison, 19 were received during the past year, viz: 14 negroes and 5 mulattoes.

The largest number of convicts in the prison at any time during the past year, was 353. The smallest number was 279. The average number has been 320.

There has been a great increase of convicts in this prison during the past year. The number now has risen to 349, and is still augmenting. The New Prison, designed for solitary confinement, by night and at meal times, cannot contain them, and I have been obliged to appropriate the cells of the Old Prison for their accommodation, placing two or more convicts in each cell. The workshops, besides, are crowded, the chapel has overflowed, and filled the barber shop, and the space within the walls is hardly sufficient for the comfortable accommodation of all the inmates of the prison. This state of things is unfavorable to good government, order and discipline. The benefits of self-improvement and reformation, derived from solitary confinement, cannot be felt by all the convicts.

Several causes have cooperated to swell the number of convicts at this time. "The troublous times" in Europe, and the want and starvation in Great Britain and Ireland, have driven to this country multitudes of the most destitute, ignorant, and criminal. Accordingly, the number of foreigners in this prison has greatly increased during the past year. The number from Ireland is now 55, and from England 23. But for several years past, the number from Ireland would not average quite 30, and the number from England not more than 18. Then the breaking up of the war with Mexico, returned upon us many that had been engaged in that war. And we know that camps, and armies, and battles, and bloodshed, and booty, are not the most favorable for the cultivation of virtue, honesty, and regard for the sacredness of human life; and accordingly, several that have returned from that war, have found their way into this prison.

These causes, together with the rapid increase of population, especially in the cities, will account, I think, for a part of this great increase of convicts at the present time.

*N. Y. Inspectors' Report, 1849.*—Of the large increase at Auburn prison, 46 are to be accounted for by the transfer of that number from other prisons; 44 by the diminution to that extent, of the number of pardons, and a farther but indefinite number by the modification of the prison districts, by which convicts from several counties, which were the previous year embraced in the Clinton prison district, were committed to Auburn.

Of the increase at Sing Sing, 16 are accounted for by the transfer of convicts, 29 by the diminution of pardons, and a further number by the modification of the prison districts.

Increase of prisoners during the past year has been in Auburn 157, in Sing Sing male prison, 61; in female prison, decrease 5; in Clinton prison, 39. Total increase, 174; of this number 85 may be counted for by the diminution of pardons, leaving 89 increase from other causes, perhaps in part by the reflex consequences of the discontinuance of the Mexican war, and perhaps in part by the increased intemperance and recklessness so strangely induced by the prevalence of the cholera.

*Maryland S. P.—Warden's Report.*—By reference to table No. 2, it will be seen that there are fewer prisoners in the institution now, than there has been for the period of twenty-two years; less by 175, than in 1835.

To whatever cause the decrease in the number of prisoners is to be ascribed, the fact that such is the case is a gratifying one. That the law passed some years since, and now in existence, which authorised the sale of free persons of color out of the State, for second offences, has had its influence, there can be no question—that the law which inhibited the sentencing of slaves to the Penitentiary, which was in operation for several years, before its repeal, had its effect, also is equally obvious.

*Inspectors' Report.*—The above statements show a decrease in the number of prisoners, as compared with that of last year, amounting to 29, while the receipts for the current year, are seven less than on the previous one.

## DISCHARGED CONVICTS.

Discharged convicts go out from the prison with ruined reputation, broken spirits, enfeebled in body and mind, distrusted by the world, and with the trifling pittance of clothing not exceeding ten dollars in value, and four or five dollars in money to sustain them while making an honest endeavor to commend themselves to confidence and obtain remunerating employment. Under such circumstances, unless they find some one to take them by the hand as soon as they go out, give them encouragement, and supply them with suitable employment, their case is almost hopeless, and their relapse into crime may be almost surely anticipated.

*Maryland S. P. 1849—Inspectors' Report.*—In addition to holding church on each recurring Sabbath, the prisoners, of both sexes, are visited through the other days of the week by several ministers of various denominations, each of whom has his class, which he instructs in their moral and religious duties. In the female department, an association of ladies, members of the society of Friends, meet every Sabbath evening, for the instruction of the unfortunate inmates therein confined. They attend not only to their spiritual wants, but to their educational ones also; endeavor by that kindly advice and counsel, which truthful parents give their offspring, to win them from the ways of sin and vice, and infuse into their benighted minds those hopeful seeds of virtue, which, when once planted by discreet hands, bloom and grow in freshness and vigor. These ladies, also, procure situations for the female prisoners as they are discharged, and assume to themselves the trouble of conveying them to their places.

*Warden's Report.*—Nor have these ladies stopped at this point, but have contributed freely of their pecuniary means, in fitting out such of them as needed it, as they were discharged, having previously provided them with homes in families whose kindness and example were calculated to nurture and mature the seeds of goodness which they had already sown in their hearts.

*Indiana S. P. 1849—Warden's Report.*—The law regulating the prison, requires the payment to the convict who has served his time, the sum of three dollars, on his discharge. The construction of the law in practice has held, the pardoned convict as not entitled to this humane provision. Thus, meritorious conduct, previous good character, or doubts of the correctness of the sentence, may deprive him of the benefits that are given to elevate and favor the discharged convict.

*Not a very common*

**New-York, 1849—Inspectors' Report.**—An examination of 53 cases at Auburn shows that in about two-thirds of the number, the succeeding convictions were for the same offence as the last.

A very great public necessity, is that of adequate provision for the encouragement and support of discharged convicts. Very few of the number have, when they leave the prison, any means of support, except the ability to labor. Going into the world with a single suit of clothes, of trifling value, a mere pittance of funds, and a tainted name, objects everywhere of distrust and aversion, unable to secure confidence and command the wages of labor, the formation of vicious associations, and a relapse into crime, are within the compass of reasonable expectation; and if the proportion of recommitments occasion surprise, it is that such proportion is no greater. If sentences for second offences are to be more severe than for the first, they would be justified on the ground of necessary protection to society, rather than of greater aggravation on the part of the offender.

**Canada Penitentiary—Commissioners' Report, 1849.**—It must be confessed that the success of any system of prison discipline will be strongly affected by the treatment which the convict receives on his discharge from confinement. A convict may leave his cell penitent and determined to reform, but if he is met with harshness and refused employment, and his good resolutions treated with scorn, despair will soon overtake him, poverty and the force of circumstances will too often drive him back to the haunts of crime. Governments can do little to avert this snare from the part of the reformed criminal; the force of public opinion will alone effectually remove the evil. Much has been done in the United States by prison societies, who receive the penitent transgressor on his discharge and aid him and strengthen him in his struggle with the frowns of the world; the tide of public sympathy has been, by their labors, turned towards the helpless outcast, and great good has undoubtedly been effected. A more noble work could not engage the efforts of a christian or philanthropist. We trust that such a society will, ere long, exist in our own country, and that through the press and the lecture room, the subject of prison discipline may engage more attention from the public than it has hitherto done.

## IMPROVEMENTS.

**Maine S. P., 1848—Warden's Reports.**—The building to be erected for a hospital and solitary cells for labor, has been commenced, so far as to contract for materials and labor, and will undoubtedly be completed during this season.

**N. Y. Inspector's Report, 1849.**—At Auburn prison during the last year, a new spin shop has been erected of one story, 300 feet long. A new cooper shop has also been erected, of one story, 200 feet long, and an addition of 90 feet made to the tool shop.

At Sing Sing, the new building for a dining-hall, kitchen, chapel, and hospital has been progressing, with such force as could be profitably employed upon it. It is of marble, covered with slate, 116 feet long, 64 feet wide, two stories high. The first story, which will be devoted to the kitchen and eating-room, is flagged with sawed marble, and is ten feet between flagging and ceiling. The second story, which will accommodate the chapel and hospital, is 14 feet between the floor and ceiling, with an arch 20 feet wide and 10 feet high, running through the centre of the entire building, and with provision for thorough ventilation.

A new road, below the brow of the hill, from the male prison to the road leading to the steamboat landing, effected by convict labor.

The improvements at Clinton prison consist in the enclosure within the picketing of the entrance to the Averill mine, the construction of a new separator, a railway leading to it from the mine, and the necessary machinery, &c., for the separation of ore.

**Indiana S. P., 1849—Warden's Report.**—A building has been commenced for a hospital, which will remedy the inconveniences detailed by my predecessor in his last report, secure the safety with suitable conveniences for medical attendance, and nursing the invalid convicts, and also furnishing appropriate cells and work-houses for female convicts, within the walls of the prison.

**Massachusetts S. P., 1849—Warden's Report.**—This prison contains three hundred and four cells, and not more than two hundred and eighty can well be lodged in it, and leave cells enough for the solitary imprisonment inflicted by the courts, and for solitary punishments for violations of the laws of the prison. The new prison should therefore be enlarged so as to contain 500 cells

*See also*  
*Clinton*  
*See also*

*Pennsylvania Western Penitentiary.*—Warden's Report, 1849.—The city water pipes are now laid in the adjoining street. For the purpose of making the prison secure from fire, and to furnish soft water for the engine, and for washing and coloring purposes, it should be introduced into the prison yard.

*Michigan S. P.*, 1849.—*Agent's Report.*—From the legislation of the last two years it was evident to me that the government wished to have the central portion of the suit of prison buildings completed as soon as practicable, with the understanding that funds should be furnished. I begun the work, and from that day to this progressed without intermission, Sundays excepted.

The south wall of the stone building has been carried up from its foundation with cut stone on a range with the front of the left wing  $3\frac{1}{2}$  feet thick at the bottom and 30 inches at the top, of most substantial mason work; the east and north walls carried up as begun.

The whole of this building, or rear division of the suit of central buildings, has been roofed with a most substantial, self-supporting roof, connected with the roof of the left wing, so as to form a continuation of that wing when the right wing shall be built. As there is room in the left wing when the block of cells are finished to accommodate and secure 360 men, and as all concede the fact, that such number will not be filled in less than fifty years, I have so arranged the new stone building as to have a dining room and two large solitary cells on the basement; a chapel and two large female cells on the second floor; a hospital, 34 by 55 feet, and a clothing room, 28 by 55 feet on third floor, all lighted and aired from opposite sides. The whole building is strongly grated from top to bottom. My predecessor had grated 4 of its windows, and I have grated the remaining 21 and 4 heavy doors, amounting to five tons of grating this season. The inner walls of the solitary rooms are also made, and the whole interior finish so arranged that it may be removed without injury to the north and south walls, and leave the roof entire and constituting, so far as it goes, a continuation of the wings whenever the whole shall be needed for cells. This building is 57 by 60 feet on the ground.

The front building is a most substantial brick building, 61 by 55 feet, of three tall stories, and a long and airy hall in the fourth story, 22 by 90 feet, and 12 feet high. Double cross partition walls are brick.

The basement has the following rooms: an Agent's office, 19 feet square inside; a Clerk's office, 19 feet; a library room, 19 feet; a guard and keepers' sitting room and night gate room, 18 feet; a fire proof,  $8\frac{1}{2}$  by 19 feet; an armory and key room,  $8\frac{1}{2}$  by 19, with a hall, 14 by 55 feet.

The second story has a like hall; a kitchen 19 feet square; a dining room, 19 feet, with intermediate closets, 9 by 18 feet, and a double parlor, 18 by 55 feet, with folding doors.

The rear rooms of the third story are 19 feet square, and are for guards and keepers' sleeping rooms, with alarm bells from the prison wings; the front rooms and adjoining bed rooms for agents' sleeping rooms.

*Tennessee S. P.*, 1849.—*Keeper's Report.*—In consequence of the heavy stone to be hauled, it became necessary to make a turnpike way and bridge between the prison and stone quarry, at a cost of some four hundred dollars, (done by convict labor.) The prison forges have also sharpened tools for workmen (not convicts) employed by the capitol at the quarry, to the amount of \$1000. I have also erected within the prison walls a saw-mill, at a cost in cash and labor of \$200. I have also had erected a cook room and stove convenient to the dining room, which has likewise undergone improvement, to wit, a new floor of brick has been constructed, the room has been ceiled and painted overhead, new tables, benches, table-cloths, knives and forks have been furnished.

#### LIBRARIES.

*New Hampshire S. P.*, 1849.—*Warden's Report.*—The prison library now consists of some six hundred volumes, suitable for the use designed.

*Maine S. P.*, 1849.—*Warden's Report.*—They should be allowed the use of suitable books when not employed in their departments; but in the opinion of the inspectors, they should not be permitted to converse together; should not be allowed to form acquaintances.

*Maryland S. P.*, 1849.—*Inspectors' Report.*—The institution is indebted to that nation-wide known philanthropist Miss Dix, and others, for a small library, books from which are, on stated days, distributed among such of the prisoners as can, and who desire to read.

*Connecticut S. P., 1849—Chaplain's Report.*—The prisoners have had access to a small select library during the last two years; and the general desire manifested during the past year, to improve the opportunities thus furnished, to read and acquire useful information, serve to strengthen the opinion I expressed in my last annual report, "that the sum thus appropriated could not have been expended more beneficially for the convicts, or for the State;" and induces me also to suggest, whether a further appropriation for the purpose of increasing the library would not conduce to the furtherance of the benevolent object the Legislature originally had in view.

*Illinois S. P., 1848—Inspectors' Report.*—We have expended the sum appropriated by the 18th section of said act in purchasing books of a character which we thought suitable to the condition of the convicts generally, in works inculcating good morals or containing general information, and they are in many instances sought after and read with sufficient interest to warrant us in recommending a continuance of the appropriation for the same object.

*Indiana S. P.—Chaplain's Report, 1849.*—The only books they have, are the remnant of what was once a Sunday school library, suited to the minds and capacities of children, is not exactly suitable for the prison. It should be recollected, when selecting a library for the use of the prisoners, that they are men, and some of them educated and intellectual men; some regard, therefore, should be had in the selection of a library for the prison, so that a portion of the books might be such as would interest and instruct such men. I would respectfully suggest the propriety of the State Legislature making an appropriation for the purchase of such a library.

*Indiana S. P., 1849—Warden's Report.*—No Sunday-school nor other library exists in the prison. A few books remain there from the donation of Miss Dix; but no books have been furnished from any quarter since the commencement of my term of office, and there are only about 15 or 20 Bibles and Testaments in the prison at this time, and they are much worn.

The lamentable deficiency of books, for any moral or religious instruction, has been stated in this report. On the Sabbath, and summer evenings, when confined to their cells, no relief is furnished to the mind of the convict but to brood over his condition, and form schemes of depredation and vengeance upon society. A Bible or Testament, above any book, would be a relief.

*Eastern Penitentiary, Penn.—Moral Instructor's Report, 1849.*—The distribution of books from the library is now systematic and ample, and there is no lack of healthful aliment and exercise for the mind.

*Ohio S. P.—Report of Moral Instructor, 1849.*—The distribution of books from our large and valuable library, each week, is studiously and diligently attended to. Those who can read, gladly embrace the opportunity of procuring them for the improvement of their minds, and to pass away the solitary hours of confinement in their cells.

This munificent provision for their intellectual improvement is an inestimable blessing, and is not unappreciated.

The extensive library of the prison is of invaluable service, and great credit is due to those who have labored to make it what it is, and thanks to those who have so generously contributed to it. It is to be hoped that contributions will still continue to be made, to increase its value, by the generous citizens of our State.

*Maine S. P.—Chaplain's Report, 1849.*—Several States in the Union have provided their prisons with good libraries; we hope our own will not be behind others in this respect, but manifest an interest in the prison by providing it with a good library. This, we believe, is due to the prison itself, as well as to the dignity of the State.

*New Hampshire S. P.—Chaplain's Report, 1849.*—The sum of \$60, appropriated June, 1848, has been applied to the purchase of newspapers, books of elementary instruction, stationery for such as are learning to write, and a few select books for the library.

The Moral Instructor of the Western Penitentiary of Penn. makes the following remark in relation to the books supplied to the convicts:

Each prisoner has in his cell a Bible and prayer-book, one or more volumes of the books belonging to the library, a slate, and arithmetic.

The Chaplain of the Sing Sing S. P. gives the following summary of the books supplied to that prison:

The number of volumes in the library of the male prison, in a sufficiently sound state for circulation, is 840; and of the female

prison about 436. The annual appropriation of the State, the last year, has added 141 volumes to the former, and 83 to the latter. This more than supplies the waste during the year. The books are changed from cell to cell regularly every fortnight. By many, the books are read with avidity; but some cannot read, and many have no inclination.

The books are carefully selected with a view to the moral and intellectual improvement of the convicts. They are religious, moral, historical, and biographical. The religious books are the works of Christians of all evangelical denominations; and the histories, biographies, and travels treat of almost all countries, ages, and characters.

The Chaplain of the Auburn S. P. states that:

In the early part of the year, about one hundred and eighty-five volumes of books were purchased with the appropriation (\$100) made by the statute from the literature fund, which, added to those already on hand, constituted a library of about seven hundred and fifty volumes suitable for circulation. These books have been principally placed in the shops, under the care of the keepers, by whom they have been distributed to their men, and have been changed from one shop to another as often as has seemed desirable for the benefit of all concerned.

*Tennessee, 1849—Keeper's Report.*—\$100 was appropriated from the treasury to found a library for the use of the prisoners; that sum has been expended in the purchase of three or four hundred volumes, selected with excellent taste by Miss Dix, and the eagerness with which they are read assures me that it affords them a great solace in their confinement.

*Michigan, 1849—Inspectors' Report.*—The library of the prison now contains many valuable books. The sum of one hundred dollars has been expended for books during the past year, and much pains taken to select good, substantially-bound standard works. These books are sought after with much avidity by the convicts, and it is believed that many of them are deriving substantial benefit from their perusal.

*Maine S. P., 1848—Chaplain's Report.*—We received a donation of ten dollars, shortly after my last report, from the managers of the

Prison Discipline Society, for the benefit of the Sabbath school, which was laid out in useful books exclusively for their use who were attached to a class.

The following suggestions by officers of the different prisons are more or less intimately connected with some one of the different subjects already presented, but as the connection in several instances is not perfectly apparent to a hasty observer and as they each relate more particularly to some specific object, we have thought we should do them greater justice by presenting each under a separate head.

#### IMPRISONMENT OF BOYS.

*Maryland—Inspector's Report, 1849.*—At present there are 21 prisoners in the institution, whose ages when admitted, ranged between 13 and 18 years. Many of these, doubtless, are in for their first offences, and whose previous lives, it is charitable to hope, were unstained by any of those acts of moral enormity which characterise the conduct of the confirmed adept in crime. If this hope be well grounded, it would seem but proper, that some punishment other than confinement in a penitentiary should be provided for such delinquents.

*Maryland—Warden's Report.*—We have three prisoners between the ages of 13 and 15, and 18 between the ages of 15 and 18, a majority of whom are in for trivial offences. Would not fine or confinement in a house of correction be more appropriate than imprisonment in the penitentiary?

#### WOMEN VISITORS.

*Warden's Report, 1849.*—Members of the society of Friends continue to visit the female department, on every sabbath, striving to instruct its unfortunate inmates, as well in their duties to their saviour as to society.

*Inspectors' Report.*—In the female department an association of ladies meet every sabbath evening, for the instruction of the unfortunate inmates therein confined. These ladies also procure situations for the female prisoners as they are discharged and assume to themselves the trouble of conveying them to their places.

#### MANNER OF KEEPING ACCOUNTS.

*Georgia S. P.—Warden's Report.*—I further wish to call your attention and favorable notice to the very objectionable mode in

which the principal keeper's reports are required to be made under the existing law. The military, or abstract form, presents many objections from the fact of its being so complex, that those unacquainted with it cannot detect or discover error. A change in its form, for one more simple and intelligible, is loudly called for and earnestly recommended.

#### AGRICULTURE AS A PRISON EMPLOYMENT.

*New Hampshire, S. P.—Warden's Report, 1849.*—The past year there has been bought about eight acres of land, adjoining that before owned, in the rear of the prison. In the whole, there is now about ten acres, half of which has been highly manured and planted to potatoes, and will produce (if a good crop) all that will be required for our consumption. The work upon the land is performed by convicts, and no account has been made of it or the seed and manure used upon the land, to the value of at least \$150.00

#### OVERWORK ALLOWED.

*New Jersey S. P.—Keeper's Report.*—The industry of the prisoner is stimulated by the allowance of overwork. This is regulated in strict conformity with the laws. Full accounts are kept of the labor of the prisoners, and whatever overwork is earned is promptly paid to the convict on his discharge. Aside from the great benefits resulting to the convict in according to him this privilege, it operates most beneficially, as the strongest incentive to good behaviour, and exercises a salutary influence on the discipline of the house.

#### DRYING ROOMS RECOMMENDED.

*Maryland S. P.—Warden's Report, 1849.*—I took occasion in my last annual report to call the attention of the board to the necessity of constructing a house for drying the prisoners' clothes when washed, and I have here to say, that subsequent experience convinces me that such an establishment is indispensably necessary, as well a matter of convenience as of health. In the present arrangements, in bad weather, almost every room in the female part of the prison is filled with wet clothes, greatly to the discomfort and endangerment of the health of the matron and prisoners, subjecting them to colds and those derangements of their systems consequent upon such exposures.

#### PLEDGE GIVEN BY CONVICTS.

*Georgia S. P.—Keeper's Report, 1849.*—Repeated attempts having been made at conspiracy and rebellion, and also to burn and break the prison for the purpose of escaping, and finding no existing law, or discipline, sufficient to prevent the frequent recurrence of these attempts, I adopted the precaution of taking a voluntary pledge from each prisoner, thereafter received, (before entering the shops,) not only to abstain from committing any of these offences, but to report all such as might in any manner come to his knowledge, or which he might at any time ascertain to be in contemplation by others. The pledge has been very freely given by all from whom it was desired. As far as I have been able to judge, it has been adhered to, with remarkable fidelity; and the effect upon the discipline has proved advantageous.

#### CONFINEMENT ON THE SABBATH.

*Georgia—Keeper's Report.*—For the health and comfort of the convicts, I feel it my duty to recommend a change in the law compelling the keeper on Sabbath days to detain them in their cells until the hour of 8 o'clock, A. M., and confine them at the hour of 4, in the afternoon. In the summer, the time of close confinement is too long, to say nothing of the inconvenience experienced from excessive heat. In winter the cells are disagreeably cold, and at times severely so. The infliction of unnecessary punishment, should at all times and under every circumstance, as far as possible, be avoided. I therefore advise that this law be so altered as to leave the hours of confinement on the Sabbath, discretionary with the keeper.

#### CONFINEMENT OF PRISONERS IN COUNTY JAILS.

*Connecticut S. P.—Warden's Report, 1849.*—It is a matter deserving the serious consideration of the General Assembly, whether an investigation is not necessary, to discover what the cause is, that the numbers diminish in the State prison, and, at the same time, our judicial expenses annually increase, as also do the numbers of prisoners in confinement in our county prisons.

The difference, in a pecuniary view, to the State, in the expense of keeping prisoners in the State prison, and in county jails, is very great. While the expense of board of those in the county jails is



two dollars per week to the State treasury, the same costs less than fifty cents per week at the State prison.

#### OATH FOR OFFICERS.

*Indiana S. P.—Warden's Report 1849.*—The law regulating the prison, does not impose the sanction of an oath, upon any of the officers, sub-officers, keepers or guards, in charge of the convicts.

#### REMOVAL OF CONVICTS.

*New-York—Inspectors' Report, 1849.*—The Legislature of 1849, authorized the Inspectors of State prisons, whenever in their opinion it should appear that there were a greater number of convicts in any of the State prisons than could be well accommodated therein, or that such convicts could not be profitably employed to the State, to remove such convicts to any other State prison in the State, provided the total number of such convicts in any one State prison should not be reduced below one hundred.

The Inspectors in May last, transferred sixty-two of the said convicts from said prison, thirty-two of the number to Auburn, and thirty to Sing Sing, at which prisons they were placed upon contracts, which would enable them by their labor, to remunerate the State for their guardianship and support.

On a subsequent occasion, in May last, fourteen convicts, thirteen of whom were boot and shoemakers, were transferred from Sing Sing prison to Auburn prison, for the reason that the Inspectors had failed to obtain for them employment at their trade at reasonable rates.

#### TOBACCO AS AN INSTRUMENT OF PRISON DISCIPLINE.

*Virginia S. P., 1849—Superintendent's Report.*—The use of tobacco, under proper restrictions, has been introduced among the prisoners, by permission of his Excellency, Governor Floyd, and I think, with decided advantage. The discipline has improved.

On this subject see remarks by the physician of the Auburn State prison, under the head, Medical Treatment and its Results; also the report of a committee of the Inspectors of Sing Sing State prison, in the second part of the Third Report of this association, page 245.

#### DISCHARGED CONVICTS.

The operations of our Association are not solely confined to prisoners or to prison discipline. While we would watch over the prisoner during his confinement, to see that no injustice is done him, and that the only objects of his incarceration are not lost sight of or abandoned, we have still a sacred duty to perform on his discharge. Thrown upon society almost penniless, without friends and without character, left to himself what has he to do in a community where even honest labor often goes a begging? If he seeks charity, he is met with a rebuff. He has no friends to borrow from, and labor he cannot obtain. Alas, this is the too frequent condition of newly discharged convicts. Before the organization of this Association, it depended in a great degree on chance whether a man was returned to prison or not. If he was lucky enough to find remunerating employment, and remain for a time undiscovered, the lessons of industry, forbearance and self-control which he had been taught in prison, might be confirmed by his intercourse with the world, until he should grow into an industrious, sober and honest man; but if, as was more generally the case, he was buffeted by the world, if his efforts to obtain work were ineffectual and fruitless, he soon became disheartened, looked upon society as leagued against him, turned to his old associates for the relief which others denied him, and threw himself a willing sacrifice into the vortex of crime. Till within a few years past, such was the universal prejudice that a reformed convict was considered rather as a fabled monster than a real existence; even judges on the bench sometimes participated in this hue and cry against the convict. Happily a better feeling now pervades this community, owing in part to the influence of this Association: and almost every day brings us in contact with some one who is a living, practical illustration of the erroneoussness of such a conclusion. We find them occupying places of confidence, respect and trust, received into our families, and their example in many instances a pattern of propriety. It is a most gratifying consideration that so many, in despite, even of the prejudice which exists against them as a class, hold fast to their integrity, and lead honest and honorable lives. In five of our largest prisons the recommitments for a series of years previous to 1847, were one to seven of the whole number; but the recommitments for 1848 were one to eleven only, and for 1849, one in ten and fifty-nine hundredths, showing a rapid diminution, owing perhaps in part to the influence of the Association in correcting public sentiment in regard to their proper treatment, and the olive branch which it offers to sustain their hopes and strengthen their resolutions.

The female department of this committee, composed of highly intelligent and philanthropic ladies, has been, considering the character of their subjects, peculiarly successful and fortunate in its undertakings. The objects of their labor are many of them collected from the various dens of infamy and corruption with which our city abounds, or dragged insensible from the gutters, loathsome from the pestilential vapors of almost constant inebriety, and after only a few days detention in our city prison, are placed in the Home, an establishment of the Association, where they are trained to temperance and to labor, where they are treated with parental tenderness, and instructed, counselled and advised, and as soon as an opportunity offers which is esteemed favorable, if they have already given evidence of a determination to reform, they are placed in situations of profit. It is not only interesting, but gratifying and encouraging to witness the struggle which these poor creatures oftentimes make to regain a rank and position in respectable society. After striving for months to overcome their habits, perhaps in an unguarded moment they are overtaken, and by the influence of their associates, tempted again to taste what had already been their ruin, and have been overcome; when, however, returning reason dawned upon them, they have flown back again to the Home as an ark of refuge where to cultivate more assiduously their own self respect. Sometimes two or three efforts of this kind have been necessary before entire confidence was established; but it is pleasant to know that some of the worst cases, even opium eaters, have now been for five years doing well. But we anticipate.

The subjoined reports of the two committees describe at large the sphere and extent of their action.

#### REPORT OF COMMITTEE ON DISCHARGED CONVICTS.

In rendering an account of our doings for the last year, we are impressed with gratitude to Him who only can bless our feeble efforts for the melioration of the condition of our fellow men, who have fallen into crime, and for their reformation. "Paul may plant and Apollos may water, but it is God that giveth the increase."

Jesus came to bless mankind, he lived a life of great self-denial, he was despised and spit upon, was scourged and finally suffered an ignominious death, and yet under all these accumulated sufferings, his soul was poured out before his God and Father for his persecutors in the moving and pathetic language, "Father, forgive them for

they know not what they do." A bright example for all who should follow after, and happy would it be for the world if we were more generally imbued with this spirit. We should then find that it would have a powerful influence with the transgressor, for nothing is so likely to awaken in his heart a sense of his wrong doing, and create a desire to reform, as kindness.

But many who profess to be the followers of Him who came "to seek and to save that which was lost," manifest a very different disposition. If some poor creature, pressed with extreme want, and who has all his life been exposed to bad associations, should trespass upon their property, a spirit of revenge is too generally excited, and the transgressor is not only visited with the rigor of the law, but even after he has atoned for his offence by having suffered its penalties, he is neglected or cast aside as unworthy of notice. Surely Christianity teaches a very different lesson. "Then shall the King say unto them on the right hand, Come ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was an hungered, and ye gave me meat; I was a stranger, and ye took me in; naked, and ye clothed me; I was sick, and ye visited me; I was in prison, and ye came unto me." This is the teaching of Christianity, and obedience to its precepts is as obligatory upon us as it was upon those to whom it was spoken.

Our usefulness has been considerably circumscribed during the last year for the want of funds. Several cases have been presented to this committee by persons of high standing in the community, of discharged convicts who have given satisfactory evidence of their reformation by their industrious habits, and who would be greatly benefited by the loan of forty or fifty dollars, but we were reluctantly compelled to deny their request, for the want of means.

One of the persons here alluded to, brought a letter from E. Doubleday, a highly respectable man, addressed to Judge Edmonds, of which the following is a copy:

"State Hill, July 7th, 1849.

SIR—I take great pleasure in saying to you that I am well acquainted with ——— a late convict in the Auburn State Prison, and have been acquainted with him for about thirty years.

"I am satisfied from every development that has come to my knowledge since his discharge from prison, that he is a renovated man.

"He is poor, but is calling up his entire energies to establish himself in the business of his trade."

Among the large number who have received assistance, there are many who by that means, have been placed in circumstances above want, and now support themselves and families comfortably not a few of whom, we believe are reformed men. Some others are perhaps, deterred through fear from again falling into crime, having things comfortable about them, are not driven by necessity to resort to their former evil habits.

There have been relieved during the year from Sing Sing prison 65; Auburn, 7; Blackwell's Island, 2; and city prison 2, not including those relieved by the chairman detention committee, a report of which is presented in this place, making a total of 76.

The following extracts from our agent's diary for the last year will show that our labors have not been in vain.

ISAAC T. HOPPER, *Chairman.*

12th mo. 31, 1849.

1849. 1st mo. 8. No. 518. Colored; about 21 years of age; came from North Carolina to this city with his parents about thirteen years ago. After remaining here about six years, they returned to the place they came from, leaving him in the care of an aunt, who exercised but little restraint over him. Of course his associates were not always of good character. In the year 1846 he hired as a servant in a highly respectable family, where he was kindly treated, and for a time he performed his duty much to their satisfaction, when he stole a gold watch, for which he was convicted and sentenced to Sing Sing for three years. At the intercession of his prosecutor about five months of that time was remitted, and he was discharged the 3d of 1st mo., 1849. Upon his discharge he called upon his prosecutor, who is a member of this committee, and we gave him some assistance. He has now been at liberty more than a year, and conducts well. He has called upon us several times, and always looks respectable, and we think his case may be set down as one of real reformation.

1st mo. 16. No. 520. About twenty-four years of age; was convicted of burglary, and sentenced to Sing Sing for four years and six months. That time expired, and he was discharged the 19th of 5th mo., 1848. Soon after he was set at liberty he called at our

office. We gave him such advice as we thought suitable. He manifested a disposition to help himself, and is now married and is doing a good business. We became responsible for a small amount to enable him to prosecute his business, which we believe he will meet in due season. We believe it is his determination to do well.

6th mo. 14. No. 552. About 37 years of age; was convicted in this city of grand larceny, and sent to Sing Sing for two years, and was discharged by the expiration of his sentence the 13th of June last. He was strongly recommended by one of the inspectors. We gave him some pecuniary assistance, and procured a porter's license for him. He is now supporting himself comfortably, and we believe is a reformed man.

No. 499, whose case is stated in register No. 2, page 13, is a contributor to the funds of the Association.

No. 353, mentioned on page 175 of the last report, is now foreman of the shop where he learned his trade, and is much respected. It is with no ordinary feeling of satisfaction that we see so many of those who have been assisted, in various parts of the city following their different avocations with diligence and respectability.

TABLE showing the number, sex and color, and present condition of all the discharged convicts relieved by the Prison Association during the past year.

PRESENT CONDITION AS FAR AS ASCERTAINED.	PRISON DISCHARG'D FROM.				SEX AND COLOR.			Total.
	Sing Sing.	Auburn.	Blackwell's Island.	City Prison.	Males.	Females.	White.	
Doing well,.....	32	6	.....	2	35	5	33	40
Hopful,.....	10	1	.....	.....	17	1	7	18
Doubtful,.....	.....	.....	.....	.....	4	1	1	4
Returned to prison,.....	.....	.....	.....	.....	2	1	.....	3
Sent to the Home,.....	.....	.....	.....	.....	.....	3	.....	3
Unknown,.....	.....	.....	.....	.....	.....	.....	.....	7
Total,.....	65	7	2	2	65	11	63	76

### REPORT OF THE FEMALE DEPARTMENT.

The annual report demanded by custom at this season, has sometimes seemed a work of difficulty and trial to the female department of the New-York Prison Association, from the sad contrast which the review of the actual progress of the past year offered to the hopes with which it commenced. The enthusiasm which leads us into such undertakings, is apt to induce somewhat extravagant anticipations with regard to universal sympathy and inevitable success, and the disappointment which ensues when we make the discovery that there may be different degrees of interest in a confessedly good object, is often such as to amount to temporary discouragement. The progress of the Prison Association has been slow. Its fundamental idea had almost the disadvantage of novelty, for the habit of treating the convict as the determined and irreclaimable enemy of society had caused him to be actually deemed such, by many otherwise humane and liberal minds, as well as by the unthinking and the selfish. Many a heart which would have been startled by the assertion that a human creature who had once been justly incarcerated under the operation of our mild laws is necessarily and properly thenceforward excluded from the Mercy of God and man, still gave practical sanction to this monstrous error, by omitting the convict from its list of objects of christian charity. There was a sort of vague, traditional admiration of the character and labors of Howard, but very little thought as to the necessity of carrying forward the work which it was honor and praise enough for him to have begun. The Divine command to visit the prisoner, and the apostolic injunction to restore a brother who had been found in a fault, "in a spirit of meekness," were duly read and reverently listened to in our churches and elsewhere; the pulpit occasionally gave its echoes to these precepts, and attempted to show that the case of the offender against human laws, offered no exception to the obligation to console the afflicted and reclaim the erring. But to avow a sympathy with the criminal was almost like confessing a toleration for crime, and the goodness which induced men to be generous in other cases of need, really helped to lock up their hearts and hands against this.

While such was, either avowedly or secretly, the general sentiment, an association for the relief of the outlaw could not be expected to enjoy sudden popularity; and ours has accordingly been

doomed to struggle into the confidence of society through more distrust and opposition than usually, or indeed ever, falls to the lot of combinations for the relief of less obnoxious classes of sufferers. The female department in particular, found an extra load of prejudice and error to encounter in approaching that sex, from, as the poet has severely said, in speaking of their natural tenderness of heart—

Every wo a tear can claim,  
Except an erring sister's shame.

But this topic has been so often touched upon, that we only allude to it here as belonging to a general view of our condition and prospects.

In presenting this, our fifth annual report, to the friends of our institution and the American public, we rejoice to be authorised to congratulate all interested on the cheering aspect of the undertaking, and the advance we feel ourselves to have made in the confidence and good will of the community. Since our last, many difficulties have been smoothed before us; new friends have arisen and old ones evinced renewed zeal and liberality. The influence of our Home upon its inmates has been such as to satisfy the most incredulous with regard to the moulding power of kindness, order and industry. The conduct of those of our inmates who have been placed in respectable families has been generally encouraging, and in some instances we observe evidence of that growing moral power and self-conquest which is our hope and reward in the case of those whose weakness is sometimes as discouraging as their vicious habits. Intemperance is now, as ever, the most insidious and obstinate of our opponents, but when the cholera was at its height in this city, one of the inmates of the Home was the only nurse at the Hospital in Fourteenth street, not discharged on account of intemperance. We have many gratifying letters from employers, and still more from individuals who have filled places found for them by our members; the former desiring to continue to supply themselves and their friends with domestics from the Home, and the latter expressing the deepest gratitude for the aid afforded them. Specimens of these letters will be found appended to the report, and we request attention to their excellent tone of expression, and to the evidence they afford as to the moral tendency of the Home. No candid mind but will acknowledge, that insensibility to kindness, a discernment as to right and wrong, in acknowledgment of the highest standard of duty, and in many cases, in generosity of sentiment, these poor patients of ours compare not unfavorably with their more fortunate sisters of the

human family. That the germs of these good things were yet existing in their minds when they came under our care, even after lives of dreadful error, we know, for our observation has taught us that in no heart are they entirely stifled; but that the warm atmosphere of kindness, the nourishment of good habits, and the fostering power of religious instruction, called them into actual life, it is our happiness to believe. To those friends who have faith and love enough to make trial of our inmates in their families, we are able to recommend them with confidence, since the very fact of a willingness to remain with us during a long period of discipline and probation, submitting to our strict rules, performing regular labor with close confinement—for no inmate goes beyond our doors without leave—and showing by docility and obedience the sincerity of their desire to reform, gives the best possible ground for the conclusion as to future good behavior. We are able to assure those who entertained fears lest by providing a home for the discharged female convict we were offering a premium on crime, that from the character of our institution it is no more likely that an unworthy person would commit an offence for the sake of obtaining admission to it, than that another should put out his own eyes in order to secure a comfortable shelter at the Asylum for the Blind. Experience has proved that the Home is quite as undesirable a place to bad subjects, as they can possibly be unwelcome to it; and that hardly any surer pledge of a desire to reform need be asked than a quiet and orderly residence of some months, or even weeks, within its walls. The peculiar power and value of the domestic discipline of the Home, is the opportunity it affords for reforming not only the outward conduct, but the sentiments, which in the familiarity of daily intercourse come under frequent discussion. Many are led into bad courses by early example and instruction, so that the very springs of action need purification. Towards this end are the efforts of our matrons directed, and to diffuse a pure and healthy moral influence is their constant effort; to many of the ladies who give large portions of their time and attention to the Home, lend their devoted co-operation. Advice and consolation, reproof and warning, mingle with the cares and labors of the day. It is not considered enough that an inmate performs stipulated task, or refrains from disturbing those about her. Her mind is probed, her past life examined, her ideas of the future called forth by kindly questionings. If vicious thoughts still have the ascendancy, they are sure to betray themselves to the experienced eye, a sympathizing friend, and here opens the opportunity for dealing with the sources of action. Many of the cases which we are able to present, show the ability of this mode of moral trial, and the power which woman

exercises over woman when she can conquer her repugnance to the contact of degradation so far as to approach the most unhappy of her sex in the character of a christian sister.

And here we must take the liberty to urge upon those who have never been induced to engage in this or any similar enterprise for the restoration of the fallen, the solemn fact that whatever we are able to do in the right spirit, for the hapless subjects of our care, is done, in literal truth, for ourselves; that we actually learn as much from them as they learn from us, that the discipline to which we subject them teaches us many a lesson of self-command; that in attempting to show them the beauty of humility, the safety of truth and the saving power of repentance, we are brought to see our own dependance upon God, and the necessity of his help in the simplest of these efforts. In reading these souls, often truly laid bare before us under the influence of helplessness and despair, we learn human nature in a way and to a degree which opens to us the recesses of our own hearts, and forces us to recognize the consequences which ensue from carrying out to their extremes the very faults which in our smoother lives look like trifling offences. It is the habit of the careless world to award praise or blame too much according to circumstances; giving disproportioned credit for virtues which cost no effort or sacrifice, and condemning, with a no less unjust severity, transgressions which have all the apology of ignorance, evil nurture and temptation, to urge in mitigation. But without insisting on the painful thought that under certain imaginable circumstances we might have been no better than the wretch we despise, we may at least soften our indignation by the reflection that situated as favorably as we, he might have passed through life with as little reproach. Who knows what equality God may discern between us? We have reason to know that even in the lowest of his creatures he still sees something worthy of his care and love. But in our pride of fancied virtue, we are apt to forget this. The dreadful outward change which a life abandoned to sin and shame produces, is such as to make us hardly willing to own that our own nature is still distinguishable in the criminal; but the nearness and candor of personal intercourse force us to perceive and acknowledge that in the poor victim of weakness or passion, we must submit to own the resemblance of kindred. He is still rational, though he may insanely have given the reins to evil desires; he has not lost the knowledge of right and wrong, though his whole life may seem to have forgotten the distinction between them; he is still subject to tender affections, though he may have outraged all their dictates; he even respects goodness,

though his faith in the sincerity of those who profess it is much shaken by the consciousness of his own misdoing. In short we are obliged to own that the faults of these degraded ones are our own, carried out to their legitimate consequences, and that of what we consider our superior virtues, they are often found to retain at least the seeds of a number and amount which could hardly be expected under the circumstances. To attempt to benefit them is therefore a severe but most healthful school for our own hearts; and if we do them good, we are more than re-paid by the discipline to which our own characters are subjected in the process. If this view of the work should possess little attraction for some minds, we are able to add that the gratitude, the docility, the improvement of our patients afford in themselves a rich reward. Not unfrequently is the kind word met with an irrepressible tear, the encouraging smile with a quick blush of animated hope, the gentle reproof or caution with a humble confession of wrong and a ready and sincere promise of amendment. The hard-seeming heart proves itself soft, the rude tone sinks into mildness, the defiant eye quails before the influence of a true sympathy and interest; affection is called forth on both sides, and if the unfortunate feel that they owe all to us, we, on our part realize that it is more blessed to give than to receive.

In making this general statement of encouraging circumstances, we would, however, by no means be understood to represent our success as universal, or the result of our system as being invariably such as we could wish. Many a cruel disappointment shadows the joy we are allowed to feel over each "sinner that repenteth." In some of our patients, the work of destruction has been too radical for our imperfect treatment. Evil habit has become strong as death, making even the sincerest resolutions of amendment utterly impotent. New-born virtue falls before the first touch of temptation, and darkness of spirit is too apt to replace the gleams of goodness which for a while have cheered and encouraged us. But, by the strictest reckoning, those who fall away after having enjoyed the full benefit of the institution, are few, in comparison to those who show good fruits; and, as the main result is quite sufficient to sustain the courage of those who perform the labor, we hope it will also suffice to inspire the liberality of our benefactors.

As to the general circumstances and success of the Home, we are happy to be able to say they are prosperous and encouraging. Owing to various accidental causes which it is not necessary here to particularize, we have been obliged, in the course of the past year,

to make some changes in its arrangement, and at certain periods our matrons have not been retained with sufficient permanence to ensure perfect regularity in our statistic record. But in no case has the interest of our establishment suffered from the alterations we found it desirable to make. No interruption has occurred in the labor and instruction of our inmates. The cholera came among us, but there was no panic at the Home. Two of our number were sent to the cholera hospital, where one died and the other was retained as nurse. Another was employed at the house of one of our citizens as nurse to a dying woman, and returned with a certificate of her kindness and efficiency, and a liberal compensation for her services. At some periods the demand for domestics from the Home has been so urgent that the usual amount of work there was lessened; but at other times the inmates have contributed largely towards their own support by sewing and washing. Most of those for whom places have been found whether in private families, or in factories in the country, have given satisfaction to their employers, and taken pains to justify the character that had been given of them. From this class of patients we receive letters of the warmest gratitude, and not unfrequently other testimonials of regard, and little tokens of affection for the institution and the inmates left behind. Of one who had passed the greater part of seven years on Blackwell's Island, her employer, after several months trial, writes thus: "A. B. wishes me to say to you that she is very well satisfied with her place, and desires to be remembered to you and Miss Foster. C. D. expresses the same wish. They are both doing well. A. B. has proved in some respects, a valuable servant. I never had in my family a more even tempered and obliging woman. In everything but cooking she has done well for us; and I shall retain her as long as I can for the sake of her good qualities." Three inmates were sent to a factory in Massachusetts. They write: "We earn from three to five dollars a week, and pay one dollar and a half for board. My dear Mrs. —, we do not yet know how to show our gratitude to you, \* \* \* J. and E. join me in kindest love to you." Six were sent to a factory in this State, after careful inquiry into the character of the proprietor and the treatment to be expected, and we hear good accounts of them. One inmate who had inhabited the toms ten months, has paid from her earnings *thirty dollars* of borrowed money, and her whole appearance is in direct contrast with the tenor of her past life. An inmate who had been in a place of domestic service several months, became so *Home-sick* that her employers allowed her to return and visit her *old friends* and companions at the institution. She passed one week at the Home, and at

the expiration of the time went back to her place, contented and happy, having left the house but once, and that to make a few purchases, accompanied by a member of the committee.

All our house reports speak of the order, industry and kind feeling which prevails at the home. It is evidently a school of the best affections; its mild discipline commends itself so to the reason and conscience of the inmates that irritation seldom occurs, and the personal attention bestowed upon each case by our matrons and by the members of the committee, secures the treatment best suited to each particular case. We wish it were allowable to particularise those members whose labors of love have been especially abundant, "in season and out of season," through all difficulties and discouragements; but since it may not be we will only say, that in this case as in many others, the *labor falls on a few*, comparatively, and the least others can do is to strengthen their hands and supply them with the requisite means for carrying into effect their excellent plans, which is all they ask. The home is at all times open to the inspection of visitors, and no valuable suggestion from any quarter is unwelcome. We solicit visits, as the very best mode of awakening an interest in our object. One hour in the work room is generally enough to convert the most skeptical. To see those who were once the vilest of the vile, at home only in riot, and scorning all order and decency, sitting "clothed and in their right mind," clean, docile, industrious, quiet, respectful, pleads better than the eloquence of Demosthenes in favor of the rationality of our attempt. Our Sunday services are attended regularly, and with great interest. A city missionary officiates in the morning, and some kind religious friend in the evening. A bible class or some suitable reading occupies the afternoon, and we have good reason to believe that none of these Sabbath exercises are without good results on the character of our inmates, who would feel themselves almost injured if they were omitted. We would take this opportunity to return our grateful acknowledgments to the kind christian friends who have with constancy and diligence conducted these exercises for us.

The valuable services of Dr. Josiah Hopper, which have so long been gratuitously rendered at the home, at all hours of the day and night, and without consideration of personal sacrifice, we are compelled to relinquish on account of his removal from the city. He takes with him our united thanks for all his kindness, and our best wishes for his health and well doing, wherever his lot may be cast.

Statistics can give but inadequate ideas of the real condition and performance of an institution like ours, which deals with mind more than matter, and seeks its happiest results in particulars which cannot be reduced to figures or calculated in dollars and cents. In those which follow will be found some of the more obvious circumstances of our condition for the past year, and we cannot but hope that even in these will be found sufficient inducement to entrust us with still larger means for that which is to come. It is no empty boast to say, that our economy has increased with our resources, since with the same care and effort we have been able to operate so much more advantageously.

1849. New Year's day 22 inmates.

Received during the year,-----	108
<hr/>	
We can report favorably of-----	40
Of which number have been sent to their friends,----	11
To the hospital,-----	5
Cholera do -----	1
Magdalen do Yorkville,-----	1
do do Philadelphia,-----	1
Tombs,-----	3
Alms-house,-----	4
Female Guardian Society,-----	1
California,-----	1
Returned to evil courses,-----	28
Remaining at the Home,-----	23
<hr/>	
	108
<hr/>	

In expressing our gratitude for the confidence hitherto reposed in us, we would respectfully urge upon those who have heretofore entrusted us with means, to inform themselves personally as to our condition and efforts. Only in this way can we hope to obtain such liberal donations as will enable us to extend our bounds so as to offer the benefits of our Home to as many as shall be disposed to avail themselves of it. We need a larger and better calculated house, and more facilities for conducting a variety of employments suited to the different powers and capacities of our inmates. Industry is a potent implement in our plan of reform; and in order to bring this to bear upon all, we must have work in sufficient variety to excite the emulation and stimulate the ingenuity of different dis-

positions, talents and habits. We need the means of teaching certain trades, as tailoring, for instance. The possession of a good business of that kind would have saved some of our poor patients from degradation, and will certainly do something towards restoring them to a decent place in society; not by rendering them independent of future good behavior, but by making it their interest and placing them in circumstances where it is possible. In order to do this effectually we need an increase of means, and we trust some kind hearts will be moved to respond to this appeal.

In concluding our report, we cannot but feel that we have been able to give but a very inadequate idea of the importance of our undertaking and the value of its results. We have done little towards enlisting public sympathy in its favor, or lessening the repugnance which is felt by some at the very name of female convict. As to the first, we may say that no words at our command could express our sense of the want of such an institution as the Home; nothing but a personal familiarity with our prisons can teach this. As to the second, the enlisting of public sympathy, we feel that after our simple statement of facts and convictions, the sympathy which each one feels will be in proportion to his moral and religious culture, provided we have been able to enlist his attention for a few moments. As to the last, that fatal repugnance to the form of tenderness we wish to relieve, we would remind those who plead against listening to us, that when one of old asked "Who is my neighbor?" our Saviour showed that to fall among thieves, to be stripped, wounded and left half dead, constituted a claim to be thus considered; and under this holy sanction and on this broad ground, we entreat that those who do not feel willing personally to encounter this class of sufferers, shall at least give the pence which will enable us to act as their substitutes.

C. M. KIRKLAND,  
Corresponding Secretary.

#### CORRESPONDENCE FEMALE DEPARTMENT PRISON ASSOCIATION.

The following correspondence from former inmates will be read with deep interest by every sincere christian into whose hands it may fall. It would seem that there are very few, if any, so far from the influence and dominion of their evil propensities, as to preclude all hope of reform; for many of those alluded to in the following

letters, had departed widely from the path of rectitude—had become degraded outcasts from respectable society, and a burden upon the community. *Becoming weary of such a life, they sought shelter in the Home, where through the influences that were cast around them, with the blessing of Providence their eyes were illuminated to see how much superior a life of virtue and integrity is to that of vice and crime, and having come to the determination to endeavor to "cease to do evil and learn to do well," have changed their course, and are now respected and useful.*

Mrs. A. H. G.

March 3d, 1849.

Dear friends—I take this opportunity to write a few lines, to let you know how I like my new home, I like it very much, and I am very well, and I hope this will find you and your family well. I have about as much as I can do, but I like them very much and I thank you for getting me so good a home. Give my love to Miss Wood and Miss F. and all the girls, and kiss the little girls for me.

Please write me as soon as you can.

My love to you

April 23d, 1849.

Dear Miss Wood:

Perhaps you think it ingratitude in me not to have written to you before, as you may possibly think that I have forgotten all the kindness that I received from you and all the friends of the Home; if such were the case, then I would consider myself very ungrateful indeed, but I hope Miss Wood will not think so when I state my reasons why I did not write before; but I can assure you that I can never forget what the Home has done for me, it has saved me many a sorrowful day; often on my bed at night I look back and think where I would have been now, had it not been for the Home. I might have been in my grave, or otherwise in prison, where I would have been deprived of all the comforts which I enjoy at present; then again I think of the time I spent on Blackwell's Island—I look back upon that scene with horror. I had neither friend nor relation then as I thought, to speak one word of kindness to me, I knew that I had no claims whatever upon any persons' sympathy—I had no hope of ever doing any better than falling back into my old habits the moment I came off the island. I was utterly hopeless of ever becoming respectable again, and still would have been hopeless had



it not been for good Mr. Searls; never can I forget his kindness to me. I knew nothing of the Home then, until he directed me to it; there, he said, I would meet with friends—I tried and found them to be such friends that I feel I can never be half grateful to them for their kindness to me.

Yours very respectfully and with regard.

July 26, 1849.

Miss Wood and Miss FARQUERSON:

Respected Madams—I have often thought of writing to you since I came here, to express my feelings of gratitude for all the kindness that you showed whilst remaining with you. How much happier I am now than I was last year at this time, for which I hope that I am truly thankful. I can now attend my church, and read my bible in my leisure hours undisturbed. I am getting well fitted up for clothes which Mrs. T—— has taken care of, indeed I have not the least trouble about them. I like my place well.

With much respect,

I remain yours,

August 20, 1849.

Mrs. A. H. G.:

Dear Madam—We arrived safe in R——, on Tuesday Mr. B. was waiting at the train to receive us, with a wagon; the factory is two miles and a half from where the train stopped. It is a beautiful place where we are; we board in a house Mr. B. keeps for the accommodation of those he has employed, it is opposite his own, and a very nice woman lives there. He has at present eighteen hands employed, and they all board in the one house; we earn at first \$3 a week, from that to \$5; we pay one dollar and a half a week for board. My dear madam, I trust it has pleased the Lord ere this to raise you out of a sick bed; it is my constant prayer that you may again be restored to your family and friends, and again gladden the hearts of the inmates of the Home with your presence. You will have the kindness to let me know if you are recovered, we all feel so uneasy about you. My dear Mrs. G., we do not know how yet to show our gratitude to you for sending us to such a respectable place, where we can earn a good living and not work very hard. Our hours are from seven in the morning till five in the afternoon. J.

and E. join me in the kindest love to you and family, and all in the Home.

Yours respectfully,

Nov. 27th, 1849.

Mrs. A. H. G.

Dear friend—I arrived here the same day I left the Home, at 2 o'clock. I have got just such a place as you represented it to be, and I am well and happy as I wish to be. I shall always remember your kindness to me while there. Mrs. G., my respects to yourself, also to Miss Avis and Miss Purinton. Mrs. C.'s people have got a man and his wife to help them, and do not want A——.

Mr. B. and wife send their respects to you. There is three dollars in this letter to pay for my traveling expenses to this place.

March 3d, 1849.

Mrs. G.

—— says I must write to you to let you know whether we intend to keep her or not. We think she is every way as good as you represented her to be, especially in her kindness to the sick, and can now only say that you have made a better selection for us than we could have made for ourselves, for which we feel truly thankful. We think that our Heavenly Father by *His unforseen providence* in sending her here at this time, when there is much religious interest here, has prepared the way to bestow a blessing upon her that He had in store for her. We humbly trust that he has adopted her into *His own family*, and made her a subject of his renewing and sanctifying grace.

As soon as we learned that she was not a christian, we felt a deep interest in her spiritual welfare, and watched till we saw deep anxiety of mind—the penitential tear, and herself willing to bow down and plead for mercy, and then her countenance was lit up with joy and peace which those only can know who have the assurance that their sins are forgiven, and we trust that you will rejoice with us that “the dead is alive, the lost is found.” Mrs. M. unites in sending love.

Yours truly,

C. M. M

April 18, 1849.

Mrs. G.

We have been told by Mr. L. that \_\_\_\_\_ wishes to return to our house. We should be very glad to have her in our family again, yet there is one objection—she cannot milk. We have two cows, and it would many times be very inconvenient. I have found a place for her if she wishes to return to P\_\_\_\_\_, in a small, pleasant family, near by H. B. G.'s; their work will be light. I think she will be pleased with the family and they with her.

\_\_\_\_\_ is with me, she is very good help. Mrs. G. wishes \_\_\_\_\_ to come immediately. I would like to see her. Her fare shall be paid.

Yours sincerely,

E. B. T.

Sept. 8, 1849.

My dear Miss Wood:

I liked C\_\_\_\_\_ very much, and she is now at a sister's of Mr. T., doing extremely well, and expects to remain through the winter. She is contented and does not wish to return to the city.

Your friend,

C. T.

[From a highly respectable clergyman in Connecticut.]

Aug. 2, 1849.

Miss Wood:

Dear madam—We have been obliged to part with \_\_\_\_\_, who will bear this to you. We regret that we must do so, but as my health compels me to remove with my family for several months, it has seemed unavoidable. She has served us faithfully, and I would cheerfully recommend her through you, to any one who may wish her as a domestic. She can cook all ordinary meats and vegetables, make excellent bread, and is, as you know, an excellent washer and ironer. She is good tempered, patient, respectful and industrious. Since she has been with us she has shown no disposition to return to any bad habits, and does not seem at all contaminated by the scenes through which she has hitherto passed. We feel much interested in her, and hope that she will in all respects continue to do well.

Yours with esteem,

H. B. E.

The following is an extract from a letter dated Sept. 17, 1849 from the proprietor of a highly respectable manufacturing establishment in New England :—

"We would say that \_\_\_\_\_ are excellent girls, and have conducted themselves with much propriety; they appear to be well pleased with their situations.

It is our delight to treat all in our employ with kindness and love; in sickness we spare no pains to render them comfortable, we use every means to teach economy and to make good use of their wages, we use all our influence to get them to spend their sabbaths at church, and endeavor to set before them such an example as we should wish set before our own children."

The following letter is from the same establishment :—

December 14, 1849.

Respected Friend:

A. H. G.—Your kind favor of the 10th was received by the hands of one of the girls. They all arrived safe at our place and commenced work yesterday; they appear well and we think will do well for us and for themselves.

\_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_ are well and are good girls; appear to be well pleased, they are all steady and attentive to their work, and so far as we are able to learn, make good use of their earnings by buying good, suitable clothing.

We endeavor as far as possible to encourage them, and all in our employment, in doing well. We set the example of industry and economy before our people, and try to have them follow it.

Rest assured of our kind feeling for the favors we have received from you, and if in no other way, we will ever try and repay your kindness by doing our duty to those whom you place under our care.

Yours with respect,

B. and F.

The following is an extract of another letter dated Dec. 31, 1849, from the same person as the foregoing. These documents afford much encouragement, and show the great good that has resulted from our institution. There are very few who are entirely out of the reach of sympathy and kindness :—

"The girls you have had the kindness to send us are all with us, except one. She thought she would prefer house work, and we pro-

cured her a situation in a good family of worthy people, where she gets \$1.50 a week. — and —, and —, have been good girls, we are just paying them for their three month's work. Each one has laid by a pretty little sum for laboring females. — and — appear contented and are very steady to their work and make very fair wages so far, a trifle over \$1.50 per week, besides board.

We would again express our best feelings towards your institution, and to all the kind and benevolent people who sustain it. Whenever any of our girls leave us we would with great pleasure apply to you for more.

We remain truly yours,

B. and F."

The case of ——— deserves notice as happily illustrating the practical effect of our institution. ——— is a foreigner of respectable parentage. She was educated at a boarding school; a place where, for the most part, the least valuable accomplishments are superficially taught, and where the development of the highest faculties, intellectual and moral is grossly neglected.

——— came to New-York with her husband who had a large capital invested in a respectable business of more than ordinary hazard. He failed and died, and left a pretty and attractive widow, poor, a stranger and unprotected. She remained in New-York in the hope of saving something from the wreck of her husband's affairs. To assist her she had recourse to a man who holds a respectable position in society; after a time she became his mistress. We have no wish to investigate or describe the acts by which her ruin was effected, and certainly we have no words to paint the crime of seduction—a crime which, tolerated as it is by society, (shame that it is so!) is registered on God's holy record as the blackest of sins. In due time, of course, the woman was forsaken; the man went on unblenched in his career—invested with honors by his fellow men, and received into their circles by decent women. The poor woman had sinned away her right to return to her friends at home—men here despised her—*decent women* here could not speak to her! She had recourse to the *Lethe of our christian age*, and after a series of miseries was found by one of the ladies of our society in the Tombs. She was brought to our "Home." Her health was impaired, her spirit broken. She was in that dismal state of final reprobation; her hope gone! In recurring to that period, in a letter recently received, she says, "Richly have I de-

served the just anger of God, and the vial of his wrath has been emptied to the dregs on my devoted head. My heart is too full for utterance or complaint to any but him." And again, "I never, never can repay you, my dear Mrs. Gibbons, and dear Mr. Searle, for all your goodness to me. Entrapped in the hands of such a powerful enemy, where should I have been, a stranger in a foreign land, if God, in his mercy, had not raised you up for me? I think of it and tremble at the past! 'I was naked and ye clothed me!'"

This is not verbiage, nor the cant so often used by the poor victims who have lost every thing of virtue but its hacknied phrases. Her position at the Home was attended by petty trials, harder to be borne with patience than calamities. She was placed on an equal footing with persons greatly her inferiors in education and manners. She had to eat, drink, sleep and live with them. Her deportment betrayed no consciousness of her superiority. She adorned her penitence with a meek and quiet spirit. She patiently performed laborious offices to which she had been unaccustomed, and occasionally kindly imparted instruction to the more ignorant of her associates. After a year of approved probation, the place of assistant teacher in the family of a country clergyman was procured for her; here she remained for nearly a year, performing considerable labor for slight remuneration, making no complaint, expressing gratitude for every kindness shown to her, and always acquiescing in the advice of her friends.

Early in November she writes a letter to one of the ladies, beginning, "Joy! dear Mrs. Gibbons, good news from a far country! I have had a letter full of love from *home!*" There is forgiveness and a welcome for the penitent. Of course she is all eagerness to "arise and go to her father," but with her characteristic docility she says, "I have decided to go to Europe in the spring. I expect you will advise me to be stationary till then;" and patiently she is awaiting the day of her restoration.

We ask the friends of humanity to pause and consider this case. In the first place, why for the same transgression, (if it were the same in guilt—if the seduced were as guilty as the seducer,) so unequal a measure of retribution should be meted out to the man and the woman? And secondly, we ask if a society that has rescued from the depths of misery one human being capable of virtue and of hapiness here, and destined to immortality, has not a claim

upon christian liberality. This is one case. Our report will show how many have been saved for a time, have had months of blessing instead of cursing, and how many we have a good hope that they are finally reclaimed.

At one of our monthly meetings, after several new inmates had been summoned, questioned, counselled, and dismissed to their various occupations, a tidy, intelligent looking young woman entered, leading a fine healthy boy, apparently about three years old. There was a striking contrast between her clear eye, light step, deferential though self-respectful manner, and the looks of the stolid, bloated, emaciated victims of intemperance. Every one admired the child, and to the question "where is your husband Bridget?" She answered, "there is no use in lying about it, now, ladies, I never was married," and burst into tears. Her sad story, more sad than rare, was related with such simplicity and pathos, that no one thought of disbelieving it. The son of the lady in whose service she had lived, was her betrayer. As soon as a discovery was made, she was turned out of doors. He had given her his watch, which she took with her. She was immediately pursued by an officer, who searched her trunk, and found the unlucky gift. Unwary victim! She was entangled in the toils of sin. To be tried, condemned and sentenced to the State prison, was the unavoidable result, for she was poor and friendless—"And sure I had never taken a cents' worth from any body in my life," she exclaimed, earnestly.

Maternal love, it is said, suggested the device to shield a son from disgrace, for who would credit a felon's testimony on any subject? What was her assertion worth, compared with the denial of a respectable family? A few weeks after she entered the prison, her child was born. The ladies there, she said, called it Eugene. They were very kind, and had always clothed it, to support it she had done extra work, and the fear of being separated from her child prompted her to efforts beyond ordinary endurance. He was all she had in the world, and if he was taken away, she would not care what became of her—and again she wept. In the prison she never had been reprimanded, and her good conduct probably procured for her some leniency with regard to her child. Now she was free, all she wanted was a service place where she could have Eugene. She was willing to work hard for any wages, so that she could have her child. "Would you be willing to go to the country?" "Indeed, and I'd rather go to the country, ladies, for he would be safe there. He ran away yesterday

and I was lost for a while—the matron sent women all round to look for him, and I ran out and found him in a man's arms crying. The man said he was his child, but I snatched him away, and a gentleman that stood by said it was'n't likely he was his child, when he cried so—Oh! I was so frightened."

Poor neglected waif! Cast upon the troubled sea of life, may not the sanctifying influence of a mother's love for the fatherless boy keep her in the path of duty? And what inevitably must have been her fate, had no friendly door opened to receive her on leaving the prison? In this rich city, with its thousand charities, kindly ministering to every class of suffering humanity, where could she have found uncontaminated shelter except at the prisoners' Home? This question involves an important fact, which if duly considered will increase public sympathy for our infant Institution, and secure all the aid it requires for its permanent support.

The following account written by a former inmate of the Home, is a simple recital of facts.

To Mrs. —

May, 1849.

Dear Madam—You wished me to give you a sketch of the late Mrs. C., which for family reasons I shall call Mrs. Clark, but I am afraid my pen will fail to do justice to that awful scene! You are well aware that my unfortunate propensity to drink has caused me to be an inmate of the prison on a great many occasions, and it seems that God has spared me to witness a great many thrilling scenes, but I never remember to have witnessed one that shocked me more than the following that I shall feebly try to narrate:

About a year ago I was in the female department of the prison where the better portion of unfortunate females are confined, when there was brought one day a fine looking woman, some twenty-five years old, to be placed under the care of Mr. E., the keeper of the prison, (a well known temperance advocate,) by her friends, for it seems they had tried every means in their power to break her of the fatal propensity to drink, but in vain; the fell destroyer had marked her for his victim! She was the only daughter of a highly respectable widow lady; her father died when she was quite young; he was a lawyer, I believe. She had received a good education, and was endowed with many good shining qualities that endeared her to all her friends and acquaintances. She had married with every prospect

of happiness that this world can bestow, and her husband seemed all her heart could wish or desire; but he, alas! was not the one she should have wedded, for he was weak-minded and gay, and wished her to partake of all his amusements and follies; he was not a drunkard when he married her, but he used to go into company that drank, till he learned to tipp'e with any of them. Whenever she reproached him for his conduct, he would laugh and tell her she was a cold-hearted woman; and he would induce her to take a glass of wine to raise her spirits. She was of that yielding disposition that looked with partial eye on all her husband's failings, and would do any thing to please him: so she began to like wine for the exhilarating influence it had on her, and when any thing went wrong she flew to that for consolation. But why need I write how, step by step, she became a drunkard, for her story is the story of hundreds; how she began to lose caste in society; how whispers went round; how shame began, and she drank deeper to forget all; how her friends dropped off one by one, and at last her husband left her too; for though men do drink, they do not like a drunken wife! I said all had left her, no not all, for there was her mother—and what will not a mother do for her only and erring child? but tears and prayers were vain in her case, so she almost despaired, when her child's only remaining friend, a temperance man, persuaded her mother to place her under the care of Mr. E. in prison, where she would have time to wean herself from the degrading vice of drink. She felt her weakness and was willing to do any thing to save herself; but how foolish is self-reliance without the aid of religion. She, however, remained two or three months in the care of Mr. E., and her husband promised to provide for her, and to take the pledge himself if she would adhere to her resolution of amendment, which she had promised to do; he took apartments for her and they went to live together. That was the last I heard of her till I saw her on her death-bed, and such a bed!! A year had rolled around, and I again was an inmate of the prison: when Miss F., the kind matron, asked me if I remembered Mrs. C.; I said, yes; she said "stop a moment, for I am going to get some crackers and milk for her." I expected to see her looking badly, but I was not prepared to witness the dreadful scene that was presented to my view. When I approached the cell I saw an awful looking object that shocked me. Instead of the elegant Mrs. C. there lay a miserable being apparently in the last agonies of death. I approached and called her by name, which seemed to arouse her, and I lifted her head to give her some nourishment, but she could not swallow anything; she seemed to

know me; I asked her if she knew she was dying; I never will forget the start—look of horror she gave me, and she said "my mother:" I said, it would break her heart to see you now, can you pray? She tried to speak but could not, and in a few moments she was a stiffened corpse. I could hardly realise it, it seemed like a hideous dream: There lay, in a felon's cell, all that was left of the once fascinating Mrs. C., in the rags of misery and wretchedness. It seems that in a little while she fell into her old habits of intemperance, till she lost the confidence of her friends, and she drank more than ever, till she left them to go and stay in some low grogery, and they did not know where she was. She would stay there till she spent all her money and pledged her clothes; they would then turn her into the street, where an officer found her one bitter cold day, sitting helplessly drunk. He conveyed her to the Tombs, where Miss F. found her in the morning in a dying condition. She did not recognise her at first, she was so shockingly altered, but she did all in her power to save her. The doctor came, but all in vain; the hour had come when she was summoned before an offended God. O! that many could witness that scene, just entering on the career of intemperance, before the habit had become too strong to be broken; it would do more good than a hundred sermons, for they would see the way of the transgressor was hard. No one expects to become a drunkard when they commence; they think, "so far I will go and no farther;" that mistake has ruined thousands; for I dare say no one despised a drunken woman more than the unfortunate Mrs. C. did at one time; if she could have foreseen the end, do you think she would have partaken of the first glass? I think not; she would have started from it as if it had been some poisonous reptile. "Look not then upon the wine when it is red, when it giveth his color in the cup, when it moveth itself aright; at the last it biteth like a serpent and stingeth like an adder."

## OFFICERS\*

*Of the Female Department of the Prison Association of New-York,  
1850.*

CATHERINE M. SEDGWICK, *1st Directress.*  
SARAH P. DOREMUS, *2d do.*  
ANNA L. H. FITCH, *Treasurer.*  
CAROLINE M. KIRKLAND, *Corresponding Secretary.*  
HANNAH UNDERHILL, *Recording Secretary.*

*Executive Committee.*

Sarah Edmonds,	S. Platt,
Abby H. Gibbons,	Elizabeth Manning,
Mary Manning,	Amy Hawxhurst,
Sarah F. Hicks,	Esther Marsh,
Esther Mead,	Ruth S. Dill,
Ann Eliza Bond,	Caroline Salter,
Mary Day,	Susan B. Day,
Frances Bryant,	Mary S. Underhill,
Ruth Beatty,	Margaret Sedgwick,
Loanna Hall,	Anna Curtiss,
Laura Hunt,	E. B. Ingalls,
Frances Emery,	Emma Pollard,
Catharine Maria Ellis,	E. R. Mavor,
Catharine C. Halsted,	Caroline C. Smith,
Eliza Vanderhyden,	Mary Cook.
M. Tracy,	

*Advisory Committee.*

Hon. J. W. Edmonds,	John Duer,
Isaac T. Hopper,	John D. Russ, M. D.
Richard Reed,	

*Matron.*

SARAH WOOD.

*Assistant Matrons.*

SARAH PURINTON,

AVIS S. PURINTON.

\*Necessarily omitted in the first part of the report, as the list was not furnished until after that portion had gone to press.

## CORRESPONDENCE

For the purpose of obtaining more specific information in relation to the results of the different modes of punishment and imprisonment under the administration of the different States, the corresponding secretary has addressed letters to the wardens and keepers of all the Penitentiaries and Houses of Refuge throughout our country for the purpose of obtaining the reports of their several institutions, and such other information as they might have in their power to communicate. He also addressed circular enquiries to many of our best regulated county prisons. The results of this correspondence have been the receipt of reports from nineteen of our State prisons (a comparative view of the statistics of which is given under the head of prison discipline,) reports or communications from all our houses of refuge, and communications from several of our county prisons.

Letters were also addressed to the Secretaries of State of those States which have not adopted the plan of establishing penal institutions under the charge of the State, for any returns which may have been made to the Legislature in relation to the state and condition of the several county prisons in their respective States. From the answers herein communicated it would appear that no return is ever required, or any knowledge possessed by the executive department in most, if not all, of these States, either in relation to the number of criminals, kind of crime, or other statistics important for wise and discriminating legislation.

*Raleigh, 9th Feb'ry, 1849.*

Dear Sir: Your favor of the 3d instant is received, and I regret it is not in my power to give the desired information. There is in the State of North Carolina, seventy-seven counties, and every county has its prison or jail, and manage them as they please, and are not required to make any report of the prisoners confined therein, or the crimes for which they are confined. There is a superior court in each county every six months, when prisoners are tried for capital offences. The county courts are held generally every three months, when prisoners are tried for small offences.

Yours respectfully,

W. HILL.

JOHN D. RUSS, ESQ., *Cor. Sec. Prison Assoc.*

SECRETARY'S OFFICE, }  
Tallahassee, Feb'y 21, 1850. }

To the Corresponding Secretary  
of the Prison Association, N. Y.

Sir: In reply to your letter of the 3d inst. I have to state that we have no State prisons, and I regret to say that our Legislature has never taken any steps towards effecting so desirable an object as a complete plan for obtaining a correct estimate of criminal statistics. I am also sorry to say that I have but little information in my possession which could at all aid you in your proposed plan. By reference and application to the *clerks* and *sheriffs* of the different counties, you may obtain much information such as you desire.

It is greatly to be hoped that our Legislature, (which will meet next winter,) will take action upon this important subject and doubtless it will do so.

It gives me great pleasure, with the concurrence of his Excellency the Governor, to send you by this day's mail, a copy of Thompson's Digest of the laws of this State, and also one copy of the acts of this State, passed since the compilation of said Digest. These contain all the laws in force relative to crimes, &c.

Respectfully,

C. W. DOWNING,  
Sec'y State.

DEPARTMENT OF STATE, }  
Austin, Texas, 23d April, 1850. }

Dear Sir: Yours of Feb. 3d was duly received, and would have been answered earlier had I not delayed my reply with the hope that I might obtain a portion at least of the information you requested in a shape that would be serviceable; but I find, after many enquiries, that no details of our prison system can be had which would be worth communicating. Indeed, until within the last 15 months, we may be said to have had no system. Offenders against the criminal laws of the country were tried in the counties in which the offences were committed, and punished according to the grade of their offences in the counties where tried. These punishments ranged from capital (for murder) down to petty fines, few of them were by confinement in prison, and those only in the county jail. No report of these punishments was made to any department, except as to the amount of fines collected. About 15 months since our penitentiary

system went into operation. It was organized upon the ordinary plan of southern institutions of that description, and is yet too much in its infancy to be capable of furnishing much in the way of statistics. During the time it has been in operation, there have not been more than six convicts sent to it from all parts of the State, whose terms of punishment are varied from one to five years. Of this number there have been no deaths or sickness, no cases of insanity, no pardons, no discharges, and of course no recommissions. The persons confined are invariably white. Their moral attitude heretofore has been upon rather a low scale, and their offences principally larceny.

Every species of *crime*, except treason and murder, are, by the laws of the State, punishable by confinement in the penitentiary. Misdemeanors of a minor grade are punished by fine. Treason and murder in the first degree by death. The discipline of the penitentiary is mild but strict. The convicts are put to labor. The officers are one superintendent and three directors. The building is unfinished, but it contains now ninety cells, besides workshops and an enclosed yard for exercise and recreation.

Regretting that I cannot furnish you with more satisfactory information on the various points of your enquiries,

I am, very respectfully,

Your obt' serv't,

JAMES WEBB.

Iowa City, March 11th, 1850.

JOHN D. RUSS, M. D.,

Corresponding Secretary, &c.

Dear sir—Your favor of the 1st ultimo, asking copies of the last annual report of the Iowa Penitentiary, came to hand some days since. I have also to acknowledge the receipt of the "Report of the Prison Association of New-York," for which I thank you. I have examined it carefully, and find it to be a very valuable and interesting work.

Since my letter to you of August, 1847, (published in your last report,) but one report has been made by the warden of the penitentiary. It was made to the General Assembly last winter, and if my recollection serves me, stated there were but one or two prisoners. By some oversight the report was not printed with the journals of the Legislature, and upon examination at the office of the Secre-

tary of State, I find that neither the original or a copy is on file in that office. The same is true, I regret to say, of the abstract of the "criminal returns" of the State for 1848. These reports when made to either house of the Legislature, are placed in the hands of the chief clerks, whose duty it is to superintend the printing of the journals, and their loss is attributable to the negligence or ignorance of those officers, or those who had the printing of the journals.

I am pleased to state it, however, as my decided conviction, that crime is *not* on the increase in this State. From all that I can learn, I am satisfied that the number of convictions have not increased. In this county, (Johnson,) for the last two terms of our district court, the grand jury has failed to find a single indictment or presentment, and during all that period, our jail has been tenantless.

Last winter, Mr. A. H. Haskell was appointed warden of the penitentiary, and during the past season has been engaged in building up the prison, for which purpose an appropriation of \$20,000 was made by the Legislature. With this sum, I learn, the building is far advanced towards completion, and when finished will be *comfortable* as well as safe. At the next session of the Legislature, (we had no session this past winter,) which will commence in December next, we shall have full reports upon this subject, copies of which, I will be at some pains to forward to you.

The above is all the information I am able to afford you on the subjects mentioned in your letter. And with my best wishes for the success of your Association, and the benevolent work in which you are engaged, I remain,

Respectfully yours,

W. PENN CLARKE.

OFFICE OF SECRETARY OF STATE, }  
Madison, Wisconsin, March 27, 1850. }

JOHN D. RUSS, M. D.,

Cor. Sec'y Prison Ass'n, Centre St., N. Y.

Dr. Sir: I have the honor to acknowledge the receipt of your letters of 3d Feb'y and 14th inst. The first came during my absence from the capital, and was mislaid by the deputy in the office.

I very much regret that it is not in my power to furnish you information to the extent you desire. There is no State prison in this State. Convicts are confined in county jails nearest the place of

conviction. No provision has ever been made for working convicts to any extent. The State pays yearly to the sheriffs and officers having them in charge for board, clothing, medical attendance, &c. The price paid for board has been, until the present year, \$3.50 per week. The price is now fixed by statute at \$2.50. The whole number of convicts now in the State will not, it is thought, at this time exceed fifteen.

No provision whatever exists requiring any officer or other person to report to any department in relation to State convicts, except that the Governor is required to report annually to the Legislature as to the number of pardons granted. The whole number pardoned since Wisconsin became a State, in June, 1848, to 1st Jan'y, 1850, is eleven.

The total expenses paid by the State for the support of prisoners for the same term amounts to the sum of \$4,109.88.

I have no means whatever at command of informing you in regard to deaths, escapes, colors, ages, length of sentence or otherwise further than above stated, short of making a thorough search of the records of the courts in the several counties.

Several fruitless attempts have been made to locate and erect a State prison. The difficulty in the way I consider only this, our State is young, country new, and so many points seeking the location, that it is difficult to settle upon any one. I think, however, that the next session of the Legislature will make the necessary provisions for a commencement.

I see from your letter of 3d of Feb'y, that you desire a copy of our criminal law. Our revised statutes contain all laws of every description relative to criminals and prisons, that exist in this State, and I am very glad to have it in my power to comply with your wishes in this respect, and have this day forwarded you a copy per Mr. N. W. Dean, a merchant of this place, now bound for your city. Mr. D. will no doubt deliver the same to you ere this reaches you.

I shall be pleased at any time hereafter to furnish you any information in my power that you may desire, and have only to regret that I cannot comply at this time to the full extent of your wishes.

Very respectfully,

Your ob't serv't.

WM. A. BARSTOW,

Sec'y of State.



HOUSES OF REFUGE.

STATE REFORM SCHOOL, MASSACHUSETTS.

*Treasurer's Report.*

The treasurer charges himself from Dec. 1, 1848, to Nov. 30, 1849, inclusive, as follows:

For amounts received from the State treasury,-----	\$25,000 00
For amounts received from the superintendent,-----	1,598 58
Balance carried to new account,-----	2,558 83
	<u>\$29,157 41</u>

He credits himself with balance due Nov. 30, 1848,--- \$1,721 17

And for the following payments:

Medical attendance and medicine,-----	71 86
Tools, leather, and materials for shoe shop,-----	2,183 07
Buildings, improvements, and repairs,-----	8,017 88
Salaries, wages and labor,-----	5,292 93
Farming tools, stock and improvements on farm,-----	1,656 32
Fuel and lights,-----	1,486 89
Provisions and groceries,-----	4,001 05
Books, stationery and printing,-----	564 56
Furniture and bedding,-----	1,792 01
Clothing, &c.,-----	1,614 11
Trustees' expenses,-----	266 87
Transportation and railroad freight,-----	338 40
Postage,-----	17 70
Miscellaneous,-----	132 59

\$29,157 41

*Showing the number of admissions, and general state of the institution, from Dec. 1st, 1848, to Nov. 30th, 1849.*

Boys in the house, at commencement of year, Dec. 1, 1848,--	23
Received since,-----	311
Number in the house during the year,-----	334
Discharged,-----	24
Remaining, Nov. 30, 1849,-----	<u>310</u>

Three hundred and eleven boys have been committed during the year, which is about one for every week day.

Of those discharged, seven were apprenticed to various trades and employments. Two were discharged by the board; one a French boy, unable to speak the English language, desirous to return to his parents in Bordeaux. The other was permitted to accompany his parents who were leaving the State.

Nine were remanded or rejected, as improper subjects; two of which were idiotic, and most of the others over sixteen years of age. Two were delivered to Boston Municipal Court, by authority of habeas corpus, to receive a change of sentence. Two were discharged on expiration of sentence.

The disposal of boys, by apprenticeship, is of high importance and responsibility; involving, to a great extent, their future prospects for respectability and usefulness. Much depends upon the character and parental faithfulness of the individual to whom they may be indentured, as well as upon surrounding influences. For should they be again located so as to be subjected to the same bad influences as before admission, they will be very likely to fall into their former vicious habits.

An embarrassment frequently arises from the change in public sentiment and practice, in regard to apprentices. Formerly, mechanics' apprentices served a full term of from five to seven years, residing in the family of their master, receiving moral and religious training, as well as mechanical instruction. More recently, mechanics employ boys and young men, at particular branches of trade, for limited periods, allowing them to board where they may, and

conduct themselves, when not employed, as they choose. This course is injurious to the young, especially the naturally vicious and misguided youth, who need constant, steady, parental control and instruction.

Owing to the short time since the school was opened, but little has been done in binding out boys.

We now have many promising boys, who are, or will soon be, ready for apprenticeship.

*Offences of all committed during the year ending Nov. 30, 1849, and previously.*

	1849.	Previously.	Total.
For larceny,-----	109	10	119
Stubbornness,-----	106	4	110
Idle and disorderly,-----	17	3	20
Vagrancy,-----	23	--	23
Shopbreaking and stealing,-----	17	--	17
Housebreaking and stealing,-----	1	2	4
Burglary,-----	1	--	1
Shopbreaking, with intent to steal,--	3	2	5
Pilfering,-----	7	--	7
Having obscene books and prints, for circulation,-----	1	1	2
Common drunkards,-----	2	--	2
Malicious mischief,-----	13	--	13
Assault,-----	1	1	2
Trespass,-----	4	--	4
Arson,-----	2	--	2
Runaways,-----	3	--	3
	<u>311</u>	<u>23</u>	<u>334</u>

The above table shows that larceny and stubbornness, in about equal proportion, are the causes of the greatest number of commitments. It should be remarked that the charge of stubbornness often covers many other crimes. Generally, there is more hope of reform in a lad guilty of some petty larceny, or even of a higher offence, than of the really stubborn child, made so by injudicious parental training.]

Many lads have been led into theft under strong temptations, frequently owing to parental neglect, who readily yield to wholesome discipline and instruction, and to the parental care exercised over them in the institution.

One great cause of crime among youth, especially in our large towns and cities, is *truancy*. The incorrigible truant, who has become familiar with *horse racing*, the *bowling saloon*, the theatrical exhibitions, and other similar places of amusement, debauchery and crime, (where too many of our youth are daily to be found,) is a most unfavorable subject for reform.

*Showing the length of the time of sentences, the past and previous year.*

	1849.	Previously.	Total.
During their minority,-----	238	9	247
Until twenty years old,-----	5	--	5
“ fourteen “-----	1	--	1
For one year,-----	16	2	18
One year, six months,-----	3	--	3
Two “-----	15	4	19
Three “-----	18	4	22
Four “-----	3	--	3
Five “-----	4	4	8
Six “-----	5	--	5
Eight “-----	2	--	2
Ten “-----	1	--	1
	<u>311</u>	<u>23</u>	<u>334</u>

During the first part of the year, many were sent for short periods; but, as the public have become more enlightened, as to the character and true objects of the institution, this evil has, to some extent, been corrected; though we still have boys sent in for short terms.

We are confident in making the assertion, that short terms of sentence have an injurious effect.

Nativity, sixty-six foreigners, two hundred and sixty-eight natives.

Of the two hundred and sixty-eight born in the United States, ninety-six were of Irish parentage, three of English, and one of

German. The remaining one hundred and sixty-eight comprises one more than half the whole number committed.

*Ages of Boys when committed.*

	1849.	Previously.	Total.
7 years of age,-----	3	-	3
8 "-----	10	-	10
9 "-----	17	-	17
10 "-----	27	-	27
11 "-----	36	1	37
12 "-----	46	3	49
13 "-----	33	4	37
14 "-----	59	9	68
15 "-----	69	3	72
16 "-----	3	1	4
17 "-----	3	-	3
18 "-----	-	1	1
19 "-----	2	-	2
Unknown,-----	3	1	4
Average age, about 12 $\frac{3}{4}$ years.	311	23	334

Though most of the boys are committed during their minority, it is not expected they will remain in the school, for any longer period than is needful to prepare them to make good farmers and mechanics, by apprenticeship. Neither is it our design to instruct them, while here, in the business they are to follow in after life.

Our present plan is, to school, discipline, and morally and religiously instruct them, as a means of correcting their faults, and preparing them for apprenticeship; and when they make choice of the kind of trade, or employment, they wish to follow, to indent them to persons of respectable character, in the country, away from their former corrupting influences. By this means, the good work, which, we may hope, has commenced here, will be carried out around the family fireside, while mingling with such associates as the good sense of the master may approve.

In the management of the institution, we have ever felt a correct public sentiment, or feeling, among the pupils, to be highly necessary. To this end, we have endeavored, as far as practicable, to render the school, in all its departments, as much *unlike* a prison as

possible; to lead them to forget the past, and look forward with hope to the future. It is often the case, that a lad, who has mingled much with vice, feels himself forsaken by the virtuous; that, though there may be opportunity for others to rise, for *him*, there is little or no hope, on account of his known bad character. Such need much encouragement,—much moral and careful training,—to bring into action the dormant energies of the mind, to lead them to put forth sufficient effort to overcome temptation.

Every kind attention, and the tender treatment, which they may receive, from those who have the control of them, strikes a chord in their hearts, which calls into action their better feelings, and prepares them for receiving and appreciating the good counsel of the instructor or master.

The pupils are divided, as far as labor is concerned, into three departments, viz., farming, mechanical, and domestic. During the summer, about one-fourth have been employed in our farming operations,—one-fifth in the various domestic operations, which includes cooking, baking, washing, ironing, and the care of the dormitories, school rooms, &c., and the remainder at some mechanical employment.

We have made the labor on the farm a reward for good behavior, as far as practicable, by selecting those for farmers, whose good conduct merits our approbation, and by alternating from the shop to the farm, giving those usually employed in the shop or domestic department, an opportunity to labor a few days occasionally upon the farm. This has operated well,—affording an agreeable change in labor. Their time for each day is divided, by devoting four hours to instruction in school, in two sessions of two hours each; six hours to labor, in two sessions of three hours each; five and one-half hours to moral and religious instruction, recreation and miscellaneous duties, and eight and one-half to sleep.

The discipline of the institution has been a matter of great solicitude; with no established system in operation, and with a very rapid increase of the inmates, it has been more difficult to manage the institution successfully, than will be the case hereafter.

We adopt the grade system. This system consists of four grades, designated by the numerals 1, 2, 3, 4,—1 being the highest grade. When a boy enters the institution, he is placed in the third grade; if his conduct is bad, after admonition, he is degraded as a punish-

ment, to the fourth,—if good, after a proper time, he is promoted to the second; and should he continue to improve in his conduct, he enters the first grade, but not until he has been in the school two months.

We also have a subdivision of the first grade, called the class of "*Truth and Honor*,"—a degree which indicates the highest rank known in the school. For punishment, we degrade from a higher to a lower, and for encouragement, promote from a lower to a higher rank. These grades do not refer at all to intellectual progress, but are confined to their moral standing entirely, and are applied to their conduct, not only in the school room, but in the shop, play-ground, and on the farm.

This system, in our view, is a just one, as it places the lad where his daily standing must correspond with his character; which must be the case in manhood, and which actually, though not in form, exists in society. Upon most boys, it has a much greater effect than the most severe corporal punishment. It leads them to value character, as on this plan, his grade-number shows the character and standing that every boy sustains in the institution.

Punishment for offences is not inflicted at the time of their commission, but in every department a record is made of all cases of misdemeanor, also of all those worthy of commendation, and the account is settled in the presence of the boys every evening, and then punishment is inflicted, reprimand given, or in slight cases a mark of misdemeanor is recorded. From this record-book the grades are reorganized weekly. Corporal punishment and confinement are inflicted only in the fourth grade, and then only as a *last resort*.

We depend much more upon appeals to reason, and pointing out the consequences of a life of vice, than upon any punishment. Much more can usually be gained by kindness and appeals to conscience, than by any other means. Boys of this class generally have but little self-respect, therefore great effort is made to lead them to respect themselves. To this end, we permit a boy to go to the village,—to labor on any part of the farm unattended, &c., upon his pledge of returning promptly, and observing the regulations of the institution. Many have been permitted to do so, and not an instance of a breach of trust in this respect, has occurred, which argues strongly in favor of our system. Thus treated, they do not regard themselves as in the confinement of a prison; they become interested in

our affairs, and speak of *our farm, our cattle, &c.*, as though they were interested in their proper management,—which could not be the case if they considered themselves watched in every movement.

We have sent out parties of boys to labor on distant parts of the farm, placing one of their number as monitor to direct in their work, and have realized much assistance in the labor of our farm by this plan. We daily send boys to the village, to mill, and to towns around us, on business. Some of those who were sent here for larceny, have been trusted to pay and collect bills.

Most of the carting of our supplies has been done by the boys, taking the entire charge of a two-horse team. Though our confidence has been generously bestowed, it has ever been rewarded by their faithfulness. We grant them many privileges for good conduct.

*School Department.*—The school department has been in the immediate charge of Rev. T. D. P. Stone, with four assistants. He remarks as follows:

"One great object in arranging the details of the school room has been to secure the power and habits of attention to study,—to promote self-respect, and induce pupils to make efforts to gain the love, confidence and respect of others.

"The relative standing of pupils, as to mental culture, is designated by four grades. These are divided, the two lowest into four classes; each of the others into three classes."

There has been some attention to declamation, singing, and writing, and a small class has recently commenced the study of algebra. The school is divided into two departments, accommodated in two large school rooms, with a recitation room connected with each.

So far as employment is concerned, we have labored under great disadvantages; as we commenced the year with no established plan, and our shops were without tools. It soon became necessary to decide upon some mechanical employment, for those who could not profitably be employed on the farm. The selection of the business to be carried on in our shops, suitable for the boys, was a subject of much deliberation. It was thought advisable, on the whole, to open two shops; one to make and repair their clothes, bedding, &c., and another for manufacturing and closing boots and shoes. The operations of both are herewith submitted.

Manufactured 8,082 pairs shoes, and closed 14,354 pairs boots and shoes.

Amount received for shoes sold,-----	\$840 01	
“ “ closing boots and shoes,-----	457 31	
“ of work done for Institution,-----	574 35	
“ shoes now on hand,-----	828 70	
“ stock “-----	131 35	
		<u>\$2,831 72</u>

Expended for stock, during the year,-----	\$1,689 71
“ tools, and furnishing shop,-----	465 72
“ wages and board of overseer,-----	398 50

\$2,553 93

Deduct present value of tools,----- 372 58

2,181 35

Balance in favor of shop,----- \$650 37

The sewing shop has been managed by a matron, with one assistant. During the earlier part of the year, owing to the rapid increase of boys, and their want of experience in sewing, we were unable to make their clothing as fast as needed; consequently, were obliged to procure other assistance; but we hope hereafter, to be able to furnish all necessary clothing. In this shop, we have usually placed the smallest boys.

The following statement, we gather from the matron's monthly reports, showing what has been accomplished in this department:

Made 331 jackets,	Made 326 pillow-cases,
“ 632 pairs pants,	“ 204 pillows,
“ 412 “ suspenders,	“ 230 bed spreads,
“ 243 “ socks,	“ 26 towels,
“ 225 aprons,	“ 2 curtains,
48 handkfs. hemmed,	400 pairs socks run,
“ 718 shirts,	261 knit jackets finished,
222 hats bound,	Repaired 1108 jackets,
234 blankets bound,	“ 4681 pairs pants,
“ 412 sheets,	“ 1068 “ socks,
“ 260 bed-ticks,	“ 1417 “ shirts.

*Farm.*—Much of the labor of those employed on the farm, has been performed on permanent improvements.

We have also devoted attention to preparing the ground for the cultivation of fruit and vegetables for the market. The boys have entered into the labors of the farm with much alacrity. During the early part of the season, their labor was comparatively worthless, owing to their want of experience; but they have made great advancement in the knowledge of agricultural pursuits, and many of them, under the kind care of the steward, have become very useful on the farm.

The following statement is submitted, showing the result of our farming operations:

Number of days work, 7447½, 3146 of which have been expended on the several improvements not immediately connected with the farm.

37 tons English hay, valued at \$12 00 per ton,-----	\$444 00
26 “ meadow “ “ 6 00 “-----	156 00
10 “ corn fodder, “ 5 00 “-----	50 00
5 “ oat straw, “ 6 00 “-----	30 00
821 bushels potatoes, “ 50 bushel,-----	410 50
470 “ corn “ 75 “-----	352 50
150 “ oats “ 42 “-----	63 00
4½ “ rye “ 1 00 “-----	4 50
1 “ dry pease “ 2 00 “-----	2 00
9 “ dry beans “ 1 50 “-----	13 50
37 “ English turnips, “ 20 “-----	7 40
300 “ Swedish “ “ 20 “-----	60 00
98 “ beets “ 25 “-----	24 50
329 “ carrots “ 25 “-----	82 25
2500 pumpkins valued at 2 each,-----	50 00
2398 lbs. pork “ 7½ per pound,--	179 85
397 lbs. veal “ 6 “-----	24 72
1155 lbs. beef “ 5¾ “-----	66 41
300 cabbages “ 6 each,-----	18 00
6641 gallons milk, “ 11 per gall.-----	730 51
582 lbs. butter “ 20 per pound,---	116 40
60 cords of wood “ 4 50 per cord,---	270 00
Garden vegetables, winter squashes, &c.,-----	20 00

\$3,181 04

*Health.*—The health of our family has been remarkable. There has been no case of sickness of any importance, except the measles, and the disorders consequent upon it.

All are required to bathe their entire persons, once a week, in a bath of about blood heat, in winter, and as often, or oftener in the pond in summer. This, together with regular habits of diet, out-pond exercise and general contentment, has tended to give us good health. At the date of this report, there is not one of the three hundred and ten boys connected with our family, who is unable to attend regularly to his labor and school duties. There has not been a case requiring the aid of a physician, for more than five months.

We have a small library, most of which has been furnished through the benevolence of individuals, to whom we render our grateful acknowledgments.

Besides the books received, we have been favored by the kindness of the editors and conductors of newspapers and others, with a weekly supply of papers, which have given our youthful family much pleasure.

The boys read them with interest; besides imparting much useful information, they divert the mind of the boy from his past vicious course. He learns what is transpiring in the world, and their influence on his character tends to prepare him to be a good citizen.

*Religious Exercises and Sabbath School.*—The principal of the school, is also the chaplain. Our religious services consist of morning and evening prayers in the school rooms, and on the Sabbath, two regular services, and Sabbath school in the chapel.

Much interest has been manifested in the Sabbath school. About twenty teachers from the congregations in our vicinity, have kindly volunteered their services. We regard the Sabbath school as a valuable auxiliary in the work in which we are engaged.

WILLIAM R. LINCOLN,  
*Superintendent.*

HOUSE OF REFORMATION,  
So. Boston, January 22<sup>d</sup>, 1850. }

To JOHN D. RUSS, M. D.

*Cor. Sec. Pris. Ass'n, N. Y.*

Dear Sir: Yours of the 15th inst. was duly received and should have commanded earlier attention had not important business prevented. To its contents I would reply, that the institution occupies the west wing of the building that was originally erected for its sole use. This wing is about 54 ft. by 45, and is three stories high. The third story contains the sleeping apartments of the boys, which is 41 ft. by 25½, and 21 ft. high, having three tiers of dormitories on the east side, each dormitory being 7 ft. by 4½ and 7 ft. high, and being separately ventilated. Those boys who cannot be accommodated in the dormitories; occupy bunks in the body of the apartment. The second story contains the school room, which is 41 ft. by 25½, and 10½ ft. high, a wardroom, in which the boys' clothes are kept, and a hospital room. The first story contains the dining room, and a play room which was formerly used as a workshop. The basement contains the washing and bathing apparatus which is very convenient. The boys are required to wash their faces and hands at least three times a day, and oftener if necessary; to bathe their entire persons, certainly once a week in a warm bath in winter and in the sea in summer. The remaining rooms in the wing, not mentioned above, are used as private rooms for the officers and for general purposes. The workshop is a separate building about sixty feet from the main building and is 70 ft. by 30 and 10 ft. high, being raised about 10 ft. from the level of the play ground, affording an opportunity for the boys to play under it in stormy weather.

Since the year 1841, at which time the institution ceased to be an entirely independent establishment, and became a department of the House of Industry, its concerns have been so intimately connected with those of that institution, that it is impossible to give a perfectly accurate estimate of its gross expenses or the expense of each boy. The making, mending, washing and ironing of the clothes, and also the baking are done at the House of Industry.

There are in the immediate charge of the boys three officers. The first, whose duty it is to teach the school and attend to the general interests of the boys, receives 500 dolls. and his board. The second, who has charge of the workshop, and renders such other assistance as is necessary, receives 350 dolls. and his board. The third, who

sleeps with the boys and superintends the domestic work, &c., receives 240 dolls, and his board. This class of boys needs constant supervision, the mere presence of an officer being sufficient to prevent what a dozen could not remedy; consequently we make it a point to have an officer with them all the time.

There are now in the institution 46 boys between the ages of 10 and 17, three of whom are colored. Five only were born of American parents. Our number is quite small on account of most of the commitments for a year past having been made to the State school at Westboro. We have accommodations for about 80 boys, and the same number of officers that we have now would be sufficient to manage them.

All the boys are required to labor six hours a day; those who are capable of being engaged in the manufacture of men's, women's and children's light shoes, of which they made during the year ending Nov. 30t, 1849, 65,022 prs, yielding the institution, \$1,084.10. Those who on account of age are not able to make shoes, are employed in knitting, and at domestic work; the knitters have made 240 prs. of socks. There are also about 50 acres of land connected with the establishment, upon which the boys are required to labor during the summer, as their services are needed, performing the lighter kinds of work. I consider this and also the cultivation of flowers, as matters of much importance to this class of boys; they are exceedingly beneficial to their health, contributing to their enjoyment, and have a tendency to cherish a love of nature, and thereby refine and elevate their tastes and feelings.

Most of the boys are committed for petty larcenies, others for stubbornness, vagrancy, &c. They are committed for no specified time, but when it is deemed expedient they are indented to trades in the country. As to the time that the boys should remain before being apprenticed, it should not be limited, but should be left to the discretion of those having immediate charge of them; for some, one year and even less is sufficient, others need two, three and four, and it would be well for others to spend their lives in such a place, though it would not be best for the school.

A system of grades or classes, founded upon the daily conduct of the boys, is the principal means employed in maintaining proper discipline; the higher grades being granted certain privileges which are denied the lower. The punishments inflicted upon boys in the higher, are generally, bad marks and loss of grade; in the lower, deprivation of play, feruling on the hand and confinement.

1849  
They rise at 5 o'clock and retire at 8½, throughout the year. Six hours are devoted to labor, 4 to school, and 5¼ to religious exercises, (which consist in reading of the scriptures and prayer, morning and evening,) incidental duties and recreation.

On the sabbath we have one regular religious service and a sabbath school, in which instruction is given to the boys by teachers from churches of various denominations in the city.

The boys usually enjoy remarkable health; there has been but one death for about three years.

Though there are exceptions, yet the majority of those who leave us turn out well, and afford ample encouragement to laborers in this important work.

Respectfully yours,

FRIEND CRANE, *Sup't Ho. of In. and Ref.*  
By JAS. O. BROWN, *Teacher of Ho. Ref.*

HOUSE OF REFUGE, NEW-YORK.

Report.

The whole number of children received into the House of Refuge since its establishment in 1824, is, .....	4663
The whole number in the House on the first day of January, 1849, was, .....	355
There was received during the year, .....	303
Making a total for 1849, of .....	658
The number remaining on the 1st Jan. 1850, is .....	338
Leaving the number disposed of during the year 1849, ..	320

About two years since, the managers applied for a participation in the public school money, which was granted.

The expense of instructors, recitation rooms, books and stationery, is about equal to the *apportionment* made for their support, by the Board of Education.

The boys are placed under the charge of contractors, who employ them, part in making cane-seat maple chairs, and others in making

pocket-books, razor strops, spectacle cases and goods of a similar description, thus acquiring a trade which may be useful to them in after life; their labor produces 11½ cents per day.

The girls are employed in making shirts, washing and mending for the boys, and with the large family in the house, after deducting the hours they are in school, say from 4 to 4½ hours, gives them full employment.

Thus far, this institution has continued prosperously to carry on the great work of reformation; and the question now presents itself, in what way can the operations of this society be extended and its usefulness more generally promoted? This subject has been heretofore referred to, and it may not be out of place again to direct attention to it. The premises we now occupy, are not adequate to our present wants, no definite classification can be maintained—no proper distinction established between the children; and the want of sufficient accommodations by which these desirable benefits could be secured, has been severely felt by the managers, and during the past summer, the board were obliged to close their doors, and refuse to receive those who were the proper subjects of the Refuge; while other institutions, having in view the same objects which we are endeavoring to accomplish, have been liberally provided for in these respects, this institution, the most important of all, is left with the same provision originally made for its use.

The ladies committee continue to manifest the same interest in the welfare, and to bestow the same careful supervision over the inmates as formerly. This department, under these favorable auspices, warmly merits the approbation of the friends of the institution.

#### *Physician's Report.*

The deaths were as follows: One from typhus fever, two from consumption, one from disease of the heart, one from diarrhoea, one from tabes mesenterica, and three from cholera. Of these, five were girls and four boys.

During the first six months of the year, the health of the inmates of the Refuge was unusually good; a few only of the diseases incident to children having occurred among them, and those of a mild character, with the single exception of a very malignant case of typhus fever, which terminated fatally on the 28th of June.

During the year, more than four hundred patients were admitted into the hospitals; this number of course included all the cases of relapse, and the different times each individual entered the hospital; besides there were many prescribed for with bowel complaints, who were not included in the hospital reports. More than four-fifths of all the patients were attacked with bowel complaints, varying in form from a simple diarrhoea, to the most aggravated stage of cholera asphyxia.

Some twenty cases of fever, and a few of dysentery succeeded the cholera, some of which were severe and difficult of cure, but fortunately, none of them proved fatal. Simultaneously with the fevers three very severe cases of *purpura* occurred, which very reluctantly yielded to treatment, and the patients got well.

About twenty cases of ophthalmia also occurred, which have all been cured.

#### *Teacher's Report of Boy's School.*

Nearly every child has been taught to read and write, to spell and define; and the great majority of them, enough of arithmetic and geography, for the ordinary concerns of life.

From some cause, to us unknown, the great mass of children committed the past year, have been unusually ignorant. Whilst the means of education are increasing, and schools are multiplying in every direction, we ought to look for different results.

Our numbers are chiefly made up of two classes, truants from other schools, and newly arrived foreigners.

The former have frequently attended seven or eight different schools each a few days or weeks, and then "played the truant" twice as long, and sought another school.

The latter having just arrived upon our shores, and finding no friendly hand to lead them to our schools, or procure for them employment, mingle in the streets with the most depraved part of our juvenile population.

Every year brings us fresh assurances, that the instructions given here, are appreciated in after life, and attended with an incalculable amount of good.



The institution of the House of Refuge, in its educational department, is, in every sense of the word, "a Manual Labor School," where are called into vigorous exercise the physical, intellectual and moral faculties. No one of these is cultivated at the expense of the other two, nor any two of them at the expense of the remaining one; but all harmoniously together.

It is easy to see that we might make strong and robust constitutions, without in any way reforming the children, and saving them to their friends and society. And it is equally obvious that if all were done that could be done to cultivate the physical and intellectual powers together, it would only make them skillful, cunning, and wise to plan, and strong to execute their plans of villainy.

*Teacher's Report of Girls' School.*

The number of girls at present in the female department is 70.	
Of these do not know the Alphabet,-----	3
spell and read words of four letters,-----	9
read in easy lessons,-----	16
read in books generally,-----	26
read well,-----	16
	70

Forty-five write on paper, and all receive instruction in outline geography. The girls have committed to memory the past year, 14,580 verses of scripture, and have repeated 832 Hymns.

*The Society for the Reformation of Juvenile Delinquents, in account with Joshua S. Underhill, Treasurer.*

<b>Dr.</b>	
1849, Jan. 3, To cash paid for food and provisions,.....	\$9,431 32
Salaries of superintendents, matrons, teachers, physician, chaplain and assistants,.....	5,902 67
Clothing for the children,.....	2,889 11
Furniture, beds and bedding,.....	1,174 35
Building and repairs,.....	1,630 67
Fuel and light,.....	1,688 98
School expenses, books and stationery,.....	50 90
Horses, carts, carriages and stable expenses,....	485 44
Hospital expenses and medicines,.....	304 29
Printing annual report,.....	119 16
Blank books, printing, and postage,.....	175 08
Retraining children to friends, and outfits to boys going to sea, &c.,.....	287 39
Care of committee room,.....	220 00
Insurance,.....	14 24
Paid over to finance committee,.....	128 50
Jan. 1, 1850. To balance due the society,.....	961 33
	<u>\$25,479 13</u>

Cr.

1849, Jan. 3, By balance due the society, from last year's account,.....	\$362 02
Cash from contractors, for the labor of the children,....	7,978 13
From Comptroller of the State,.....	8,000 00
Corporation of the city of New-York from excise fund,.....	4,000 00
Board of Education,.....	1,821 25
Theatre and circus licences,.....	3,517 73
	<u>\$25,479 13</u>

The whole number of children received into the House of Refuge since its establishment in 1825, is 4,663.

The number of children in the institution on the 1st of January, 1850, was as follows, viz:

White boys,-----	255
White girls,-----	62
Colored boys,-----	13
Colored girls,-----	8
	<u>338</u>

*Parentage of 247 white children received during the year 1849.*

American,-----	69
English,-----	14
Irish,-----	134
German,-----	16
French,-----	5
Scotch,-----	6
Spanish,-----	2
Welsh,-----	1
	<u>Americans 69, Foreigners 178, total,----- 247</u>

*Ages of 266 children received during the year 1849.*

4	were	8	years old,	158	brought forward.
6	"	9	"	52	were 15 years old.
16	"	10	"	29	" 16 "
81	"	11	"	16	" 17 "
33	"	12	"	8	" 18 "
35	"	13	"	2	" 19 "
53	"	14	"	1	" 20 "
				<u>158</u>	carried forward.

Average age, 13 years 9 months and 27 days.

*Employment of the Children.*

During the year, the boys have been employed in working from the rough plank, chair seat frames, and filling them with cane prepared by the children, and in manufacturing daguereotype cases, spectacle cases, razor strops, pocket books and other articles.

The boys make and mend all the shoes; and the washing, making and mending for the whole family, is done by the children.

*Matron's Report of work done in the Female House during the year 1849.*

Frocks made, -----	146
Shirts " -----	707
Aprons " -----	137
Skirts " -----	98
Chemises made, -----	77
Sheets " -----	323
Comfortables made, -----	20
Quilts " -----	2
Pillow cases " -----	113
Suspenders " -----	344
Bed ticks " -----	28
Rollers " -----	18
Towels, " -----	21
Spreads " -----	8
Handkerchiefs hemmed, -----	24
Iron holders made, -----	34
Loose gowns made, -----	8
Comfortable covers made, -----	182
Mattresses covered, -----	12
Curtains made, setts, -----	4
Stockings run, pairs, -----	843
Shoes bound, -----	166
Garments repaired, -----	22,497
Stockings " -----	7,384
Pieces washed, -----	107,549

WESTERN HOUSE OF REFUGE, }  
Rochester, Jan. 28, 1850. }

To JOHN D. RUSS, M. D.,

*Cor. Sec. Pris. Ass'n.*

Dear Sir: Your favor of the 15th inst. was duly received, and I have great pleasure in answering your several inquiries.

The "Western House of Refuge" was opened for the reception of boys on the 11th day of August last.

The law establishing the House, authorises the managers to make provision for the reception of girls; but no such provision has as yet been made and probably will not be until after additional buildings shall have been erected for boys.

The institution is beautifully located near the banks of the Genesee river, about one mile north of the city, on an eminence commanding a fine view of the city, the surrounding country and Lake Ontario.

There are 42½ acres of excellent land attached, 10 of which are devoted to pasturage, 28 acres are enclosed with a stockade fence, 10 ft. in height, and are designed to be cultivated by the inmates, and 4½ acres are enclosed with a stone wall 20 feet high.

Within this latter enclosure are all the buildings except the barn, and the grounds are handsomely laid out in vegetable and flower gardens, walks and play grounds, and ornamented with trees and shrubbery.

The original plan of the House embraces a centre building 86 by 60 feet, 3 stories high and basement, with two wings in an oblong direction, each 148 feet long by 32 feet wide, 2 stories high and basement, except the extremes, which terminate in towers 37 feet square, 3 stories high. The whole when completed will form a front of 382 feet in length, to which lateral wings may be added when required.

Of the foregoing plan only the centre building and one wing are completed. (Enclosed I send you a lithograph on a small scale, showing the front elevation.)

*Centre Building.*—The centre building is divided by a central hall 15 feet in width, with lateral halls 10 feet wide, communicating with the wings.

The basement embraces a kitchen and dining room for the superintendent, a kitchen and dining room for subordinate officers, and a general kitchen for cooking and washing for the inmates. The latter is furnished with a 5 horse power steam boiler and cooking and washing apparatus of the most approved kind, together with a 3

horse power engine for elevating water to the 4th story, which without further addition is sufficient to do the work for a family of 250 inmates.

From a tank of 2500 galls., in the fourth story, the water is plumbed in every direction where its use is required.

The 1st floor contains the office and manager's room, with rooms for the superintendent's family.

The 2d floor embraces two large rooms for the sick, and sleeping apartments for the officers. And on the 3d floor is a chapel 60 feet square, which will seat 500 persons. Rooms for the sick will be provided in the new wing to be erected.

*Wing.*—The basement of the wing embraces a washing and bathing room for the boys, 32×68 feet, with pipes and corks so distributed that each can wash under a running stream. It is also furnished with a plunging bathing pool of the capacity of 5000 galls. and a shower bath.

On the same floor are an ironing and drying room, tailors' shop, shoe shop and store rooms.

The 1st floor embraces the dining room and school and recitation rooms.

The 2d floor contains the dormitories for the boys. These are 7 feet square with 7 feet ceilings; they are arranged in two tiers on either side of the wing, and separated by a hall 15 feet in width running the whole length of the wing. Each cell has a narrow window extending from the floor to the ceiling, rendering it light, airy and pleasant. Each has a 4 inch ventilating flue which can be opened or shut at pleasure and all the doors of the cells are of open ornamental iron work.

The hall between the dormitories is lighted from the roof, and ventilated by Espy's cowles.

The building throughout is warmed and ventilated by "Bull's hot air and ventilating furnaces."

Each wing when completed is designed to accommodate 100 inmates.

Since the opening of the House, there have been received 40 white and 3 colored boys, none of whom have been indentured or otherwise disposed of.

The offences for which they were committed are burglary and larceny, 16; petit larceny, 17; grand larceny, 3; vagrancy, 5; arson 1; forgery, 1.

Their parentage is as follows, viz: American 23, Irish 13, French 2, German 1, Welsh 1, colored 3.

They are all committed to the care of the managers during their minority; the managers having power to bind them out at their discretion.

They vary in age from 10 to 18 years; the average being 14 years and 6 months; 18 years is the extreme at which they can be committed.

All, except a few who are required for the domestic work of the house, are actively employed in the manufacture of cane chair seats. In the summer season a large number will be employed in the garden and on the farm. Those who labor in the shops are under contract at 11 cts. per day for each.

The time the inmates will be detained before being apprenticed, will depend much on their general character and conduct; the average time will be from 18 mos. to 2 years.

For modes of punishment see "rules and regulations." The last resort is by corporal infliction; and this has only been required in two cases since the opening of the House; two large boys for desperate attempts to escape, they were punished on the posterior with an ordinary sized rattan.

The general health of the inmates is good, only 2 having been confined to their beds by indisposition and these only for a few days. There are no cases of insanity among us, and no case of masturbation to our knowledge.

All are required to take a plunging bath twice during the week. All attend school 3½ hours per day, and church and Sunday school on the sabbath.

As a general thing they seem contented and happy; as well at their work as during the hours of recreation; but for "results," we must wait till the institution has been longer in operation.

*No. of Officers and their Salaries.*—Superintendent, \$1,500; assistant superintendent, \$700; teacher, \$600; steward and wife together, \$300; gate keeper, \$200; farmer, \$250; gardener, \$150; physician, \$200; chaplain, \$250; tailoress, \$8 per mo., and all are entitled to the fare of the House, that is such food as is provided for the inmates.

I am yours, very respectfully,

SAM'L S. WOOD,

Sup't W. H. of Refuge.

#### HOUSE OF REFUGE OF PHILADELPHIA.

In the department for white children, the average number of male inmates for the year has been 174, of female inmates 42, total 216, being a larger number than in any year since the institution has been in operation.

Below is given a tabular statement of the number of males and of females committed in each year since the opening of the House; together with the average age of those committed, and the average number of inmates in each of the years for which the information could readily be procured.

The number of commitments here given do not include those returned to the institution after having been indentured or having escaped.

For the year.	Boys committed.	Average age of com- mitted.	Girls of com- mitted.	Average age when com- mitted.	Average number of male in- mates during the year.	Average number of female in- mates during the year.
1828,	18	..	3	..	....	..
1829,	131	..	38	..	....	..
1830,	66	..	35	..	....	..
1831,	87	..	24	..	....	..
1832,	89	..	37	..	....	..
1833,	57	..	24	..	....	..
1834,	73	..	35	..	....	..
1835,	92	14	25	14	....	..

1836,	55	13½	29	14½	....	..
1837,	73	13½	30	14½	....	..
1838,	87	13½	44	14	....	..
1839,	73	13½	54	14	....	..
1840,	66	14	23	14½	....	..
1841,	80	13½	39	15	....	..
1842,	61	14	39	14¾	100½	55
1843,	69	13¾	33	14½	99½	52½
1844,	64	14½	35	14	109	56
1845,	100	14½	39	15	124	56
1846,	78	13¾	31	14	144	50
1847,	115	14	24	14½	149	46
1848,	121	14½	34	14½	163	43
1849,	139	13¾	38	14¾	174	42

By an examination of the above tabular statement, it will be perceived that the number of boys committed, within the last few years, has rapidly increased. It cannot be doubted, that the fear of being subjected to the discipline of this institution has exerted a powerful and salutary influence on the rising generation of our community.

The greatest number of male inmates at any one time during the past year, was 196; of female inmates, 50.

During the past year, the inmates have been blessed with health in a remarkable degree; but one case of serious indisposition occurred during the year. This case, which terminated fatally, in the month of April, was that of a boy recently admitted, and the disease—gangrenous erysipelas—was of a character to leave but little doubt that it existed in his system at the time of his admission.

The mechanical pursuits which give employment to the boys in the workshops, are the manufacture of razor strops, cane chair seats, and umbrella furniture, and book binding. The earnings of the boys, for labor done during the past year, amount to \$6,356.54 or 11½ cents per day.

The progress made by the pupils both of the boys' and of the girls' schools, in their studies, which embrace the elementary branches of an English education, has been satisfactory to the board.

The libraries have received an addition of more than 800 well-selected volumes, through the liberality of a number of our fellow citizens, including most of the principal publishers and booksellers of our city. They acknowledge the kindness of the officiating clergy of different religious denominations in voluntarily officiating at the House on the sabbath; also to express their thanks to the sundry school teachers, who have so faithfully labored for us.

The labors of the ladies' committee in the female department have been conducted, as heretofore, in the spirit of love.

From the tenor of letters received from the masters of former inmates, now under indenture, the board feel assured that the discipline of the institution has not lost its beneficial influence. They believe, however, that, could a larger proportion of those indentured be placed at a distance from the city, and the evil associations connected therewith, still more favorable results might be realized.

A friend of the institution presented to it the sum of \$1,600, to be invested as a permanent fund, the interest to be applied to the purchase of medals, and such other presents for the inmates as may be deemed suitable rewards for good conduct and incentives to improvement.

Cost of support including provisions, salaries, fuel and clothing is 92 dollars and 10 cents per head.

#### *Report of the Superintendent of the White Department.*

The number admitted from Jan. 1, 1849, to Jan. 1, 1850, is as follows, viz: 158 boys, 45 girls, total 198.

Discharged: boys 126, girls 36, total 162.

Remaining in the institution, Jan. 1st, 1850: boys 185, girls 49, total 234.

93 were committed on complaint, and by request of the parents or nearest friends.

Those admitted during the year were born as follows: In the city and county of Philadelphia, 90; in other counties of Pennsylvania, 18; New-York, 10; Ohio, 1; New Jersey, 5; South Carolina, 1; Delaware, 1; Vermont, 1; Massachusetts, 1; District of Columbia, 1; England, 8; Holland, 1; Ireland, 17; Germany, 8; Italy, 1; Wales, 1; remainder not known.

The average age of boys, when admitted, was about 13½ years; girls, 14½.

The boys are employed at—

Bookbinding, .....	10
Cane seats, &c., .....	65
Making umbrella stretchers, .....	36
"    razor strops, .....	70
Miscellaneous, .....	4

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 185

*In the Bindery.*—Comly's spelling book, copies bound, --- 57,518

English Reader, .....	2,104
Pike's Arithmetic, .....	500
Primers, .....	15,192
Almanacs, .....	55,872

*In Cane Shop.*—Cane shaved, lbs., .....
 4,680 |

Seats made, .....	17,476
Chairs caned, .....	102
Settees " .....	7
" made and caned, .....	7
Bonnet reeds made, gro., .....	905

*In Umbrella Shop.*—Stretchers made, lbs., .....
 127,327 |

*In Razor Strop Shop.*—Strops made, doz., .....
 14,000 |

Paper boxes made, .....	29,000
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*Work done by Girls.*—Jackets made, .....
 416 |

Pants, .....	471
Shirts, .....	625
Boys' aprons, .....	159
Frocks for girls, .....	137
Other garments for girls, .....	410
Sheets, bed ticks, pillow cases, towels, &c., .....	625
Carpet rags sewed, lbs., .....	194
Mending, washing, cooking, &c.	

*Report of the Teacher of the Boys' School.*

The school of the male department consists of two general classes; namely: the first and second divisions, which are subdivided, the first into six classes, the second into three. The classes 1 and 2 of the first division have completed and reviewed Goldsmith's History of England and Goodrich's History of the United States.

Class 3 has nearly completed the above mentioned works.

The following tables exhibit the general standing of 153 received and 126 discharged:

	When admitted.	When discharged.
Those who could read well,-----	8	30
“ with ease,-----	16	25
“ imperfectly,-----	32	43
“ a little,-----	29	20
“ pronounce monosyllables,---	30	8
“ repeat the alphabet,-----	22	
“ were ignorant of the alphabet,--	16	

*Arithmetical.*

Those advanced beyond the compound rules,	10	25
“ “ division,-----	20	30
“ acquainted with the simple rules,---	25	30
“ “ subtraction,-----	18	20
“ “ addition,-----	19	11
“ ignorant of addition,-----	61	10

*Geographical and Historical.*

Those variously acquainted with geography,	66	102
“ having no knowledge of “	37	24
“ variously acquainted with history,---	17	49
“ having no knowledge of “ ---	136	77

*Girls' School.*

The present number of pupils is fifty; thirty-four of whom have been received during the past year. Seven of those, when admitted, could read well; nine could read a little; six could spell words of two, three and four letters; and twelve did not know the alphabet. They are divided into four classes.

We have lately received an addition to our valuable library, and it now contains upwards of 800 volumes. The children are fond of reading, and those who cannot read well are equally desirous to receive books.

The greater number of those admitted during the past year were very illiterate and destitute of moral training; while, on the other hand, we have some intelligent girls, who might have done honor to the family circle had their tempers been watched over and their morals cared for in the days of infancy. Owing to this neglect of parents and guardians, the poor children find it no easy task to do that which is right; nevertheless, I had not during the past year, occasion to record one deliberate act of disobedience. They are, in general, kind and obliging, and often express their gratitude for the instruction they receive. All manifest a desire to improve, and not a few have exceeded my expectations.

*Philadelphia, January 21st, 1850.*

J. S. Russ, M. D.

Dear sir—your letter dated 15th inst. was received this morning, making inquiries relative to our institution, for your annual report. Some of your questions are out of my power to answer, as our establishment has been in operation but three weeks. However, as many as can be answered, you will find below.

What No. of inmates? 35. What color? 26 full negroes, 9 mixed; 3 females. They are all born of *American parents, full blood natives*, committed until of age, boys 21, girls 18 years, committed for larceny, immoralities, such as absconding, disobedience, ungovernable tempers, and others for want of friends and home. At present the only trade they work at, is making umbrella stretchers. They cannot be bound out until they are thoroughly reformed, and then not within 25 miles of their homes.

We have at present but six officers, our employment being light, they are as follows:

Superintendent, \$700, house accommodations, fuel and lights, horse and wagon, cow and garden, equal to about \$1,200 per annum. Assistant superintendent, salary \$400, and board and washing, he is teacher of the boy's school. Matron, salary \$500, board and washing. Assistant matron, who is also nurse \$300, with board and washing. Teacher of girls' school, salary \$200, with board and washing. Doorkeeper, salary \$144, with board and washing.

Our enclosure embraces 2½ acres, employed as gardens and play grounds. Cannot answer your next, viz: "What is the annual expense of each child, &c.?" as we are not yet one month old. The dimensions of the building and its arrangement, I will give you at the close of this letter. The result of our labors we cannot answer; we expect to keep them one year before indenturing. Our mode of punishment is moral suasion; for light offences, such as talking in the ranks, at the table, &c., put the boy on No. 4, that is we deprive him of play for a certain time, or give him bread and water in presence of the boys at meals. For grosser offences, such as swearing, lying, or insubordination by violence, confine him in his cell with only two blankets and bread and water twice a day. Our best boys are promoted to class No. 1; kept entirely apart from No. 2, not allowed any communication. We do not expect to use corporeal punishment—I do not say we will not. The inward police is entirely in the hands of the superintendent. They are received between the ages of 8 and 18 years. Their health is good, no insanity or masturbation.

Sleep 8½ hours; at school 4½; at work 6 hours, if unruly and inactive 7½ hours; at meals, washing and dressing, 2½ hours; at play, reading or working for wages, 2½ hours.

Our bath or wash house is under the shop, which is a two story brick building 50 by 40 feet; at each end we have twenty cocks emptying in a trough for daily washing of hands and face. The pool is thirty-five by thirty feet, four feet deep. In summer bathe daily; cold weather twice and sometimes thrice a week, the water heated by steam. The whole waste water from every part of the building is carried off by a reservoir emptying into the Schuylkill river. Our cooking is all done by steam. The whole house heated by furnaces, but will in course of time be heated by steam. The sexes are entirely separate, and not allowed to see each other, not even in the chapel, the girls occupying the gallery, and the boys seated below them. There is a complete separation of sex.

Our boys work well in the shops, and the superintendent of the work, says they work more regularly and learn in less time than the white boys, at the old refuge.

We cannot tell what will be the annual expense of each boy—they are ambitious to learn, their prominent fault is loquacity; they appear cheerful and happy, nor have we heard one express a desire

to go away, but on the contrary they wish to remain. I have sent you the last year's report. I have so much to attend to at present that I must ask your indulgence for the sad appearance of this letter.

And remain yours truly,

THOS. W. SUMMERS.

*Superintendent House of Refuge Colored Department.*  
February 1, 1850.

### COUNTY PRISONS.

OFFICE OF PRISON ASSOCIATION, 15 CENTRE ST., }  
*New-York, Feb. 4th, 1850.* }

Dear Sir: The neglected condition of county prisons throughout the State of New-York, has stimulated the Prison Association to endeavor to procure information in relation to other States, that they may be better enabled to advise remedial measures in their own. I have, therefore, taken the liberty to invite your attention to the following enquiries, and ask an early reply to such of them as you may have it in your power to answer, viz: The number of prisoners admitted during the year, designating sex, color, crimes and sentences. The number of temporary commitments, or commitments for examination only. The cost of support, under separate heads, as food, fuel, clothing and salaries, &c. The income of labor, specifying the average number engaged at each different trade or employment, and the proceeds of each. How large a portion of your prisoners work at all. Do those simply detained for trial work? Is work compulsory on them? What conveniences for bathing? Do prisoners bathe at stated times? How are your prisons heated? How ventilated? Do they eat in their cells or a public table? Number of cases of disease, lunacy or death, recommitments. Answers to any or all of these enquiries, with such other information as you may have it in your power to communicate, will be most thankfully received by

Yours, very respectfully,

JOHN D. RUSS,

*Cor. Sec. Pris. Assoc'n.*

*To the Keepers of New London, Middlesex, Fairfield, New Haven, Windham, Hartford and Tolland County Prisons, Conn., and Albany Co. Pen'y.*

ALBANY COUNTY PENITENTIARY, }  
 February 18, 1850. }

My dear Sir: Your favor of the 13th was duly received, and I herewith hand you *extracts* from the report of the Inspectors, together with a copy of my report, from which you will be able to obtain more fully the information you desire, than I should be able to give you in a letter.

The extracts are from a rough draft in the hands of one of the Inspectors, the reports being out of our hands and in the hands of the printer; but have been delayed for the purpose of having plates engraved to accompany the same.

We have no good arrangement for bathing, but always calculate to give all a thorough washing on their reception, and then require them to keep themselves clean.

Our shops are ventilated through the ceiling into the garret and thence through the roof, by the patent Espy. The hall containing cells, &c., is well supplied with ventilators, but we depend much upon natural ventilation by fresh air from the doors and windows open a good part of the day. We have two large hot air furnaces and a large number of stoves with which we heat the buildings. There is at present no sickness among us. You will see that we had *nine* deaths from cholera and three *only* from other causes during the year.

As soon as our reports are published I will send you a copy. We should be pleased to have you visit us and examine the establishment in all its details.

With much respect,

I am your ob't serv't,

AMOS PILLSBURY.

Dr. JOHN D. RUSS, Cor. Sec'y Pris. Assoc'n.

*Albany Co. Penitentiary, 1849—superintendent's Report.—Expenses.*—Improvements and repairs, \$569.07; furniture, \$196.96; clothing and bedding, \$750.61; provisions, \$4,379.70; balance of interest account, 48 cents; property on hand October 31st, 1848, \$379.67; salaries of officers, excepting keeper, fuel and other expenses, \$4,084.02; total, \$10,360.51.

*Income.*—Received for board of prisoners from other counties, \$563; basket making, \$312.19; on hand, \$900.68; shoe making, \$804; wood work shop, \$460.26; chair seating, \$1,753.17; demi-john shop, \$1,081.01; female department, \$530.94; labor account, \$114.25; tailoring, \$22.37; amount received from visitors, \$57.71; balance of expense to this institution, \$3,760.93; total \$10,360.51.

*Statement of prisoners.*—Number of prisoners in confinement October 31st, 1848, 133; received from November 1st, 1848, to October 31, 1849, inclusive, 408; whole number in confinement during the year, 541; discharged by court and magistrates, 20, by the Governor, (pardoned,) 4; by payment of fines, 6; died, cholera 9, other diseases, 6; escaped while employed at work on the land outside, 2; sent to alms house by order of magistrate, 2; discharged by expiration of sentence, 317, prisoners in confinement October 31st, 1849, 177; of the above number received there were males 368, females 100; total 408. Of the number in confinement October 31st, 1849, there were males 127, females 50; total 177.

*Employment—Male prisoners.*—Making chair seats, 30; covering demijohns, 27; making coarse boots and brogans, 15; wood work and basket making, 10; waiters in hall, barber and nurse, 4; insane and invalids, 6; on buildings, grading land, and other out-door work, 35; total, 127.

*Female prisoners.*—Covering bottles, 15; closing and binding shoes and boots, 10; making and mending clothes for prisoners, &c., 6; waiting and cleaning in hall and house, 3; invalids, 3; at work in kitchen, cooking, washing and ironing for the whole establishment, 13; total, 50; grand total, 177.

*Crime—Vagrancy, 187; petit larceny, 98; assault and battery, 66; disorderly, 33; malicious mischief, 4; assault and battery on an officer, 5; assault and battery with intent to commit manslaughter, 2; assault and battery, riot and affray, 6; assault with intent to kill, 1; embezzling, 1; false pretences, 1; abandoning child, 1; wilful trespass, 1; breach of peace, 2; total, 408.*

*Age when committed—Under 20 years, 70; from 20 to 30 years, 136; from 30 to 40 years, 94; from 40 to 50 years, 68; over 50 years, 33; total, 408.*

[Assembly, No. 198.]



*Term of sentences.*—2 years, 2; 1 year, 5; 7 months, 4; 8 months, 1; 6 months, 179; 5 months, 11; 4 months, 46; 3 months, 76; 2 months, 38; 1 month, 23; 100 days, 3; 40 days, 2; 10 to 30 days, 3; bail, 13; 6 months and fine \$100, 2; total, 408.

*Nativity.*—United States, 172; Ireland, 174; England, 5; Scotland, 20; Germany, 12; Canada, 16; New Brunswick, 2; France, 4; Italy, 3; total, 408.

*Social relations.*—Single, 20 years of age and upwards, 154; married, wife or husband living, 136; boys under 20 years of age, (parents living,) 37; widowers or widows having children, 61; without friends, parents or guardians, 30; total, 408.

*Instruction.*—Early religiously instructed by parents, 136; without early instruction of any kind, 272; total, 408.

*Education.*—Can read and write, 194; read only, 80; cannot read or write, 133; well educated, 1; total, 408.

*Habits.*—Admitting themselves to be intemperate, 334; claim to be temperate, 74; total, 408.

*Health.*—In good health when received, 305; poor health, 103; total, 408.

*Occupation before conviction.*—*Males*—Farmers, 4; carpenters, 20; laborers, 149; sailors and boatmen, 19; moulders and painters, 20; blacksmiths, 11; barbers, 5; clerks, 3; shoemakers, 20; miscellaneous, 88; no occupation, 19. *Females*—Servants, 60; house keepers, 13; tailoresses, 4; no occupation, 23; total, 408.

The foregoing detailed statement of the earnings and expenditures, receipts and disbursements, exhibits the financial operations of the institution for the year ending October 31st, 1849.

The pecuniary welfare of the institution, together with the care, discipline and moral improvement of the prisoners, has occupied the whole time and attention of the superintendent during the year now brought to a close; whether he has been successful in producing results as favorable as the projectors and friends of the institution could reasonably expect, he would most respectfully leave for them and the public to decide.

When it is considered that most of the prisoners are sentenced for the term of six months or less, some idea may be formed of the task and difficulty of obtaining suitable and profitable labor in which to employ persons of all ages who are thus constantly changing, especially as it is desirable not to manufacture articles which would appear to come into competition with those of the mechanics of this city; and it has always been the wish of the superintendent to employ the prisoners upon such work or articles as are chiefly imported from abroad, so that the mechanics should have no cause to feel that the manufacturing business carried on at the penitentiary was either unjust or oppressive to them.

It was with these views he early introduced as a permanent business, the manufacture of cane chair seats, an article mostly made in prisons, and considered as *raw* material for the chairmakers. He has also, during the past year, employed a portion of the prisoners, male and female, at covering bottles or demijohns, most of which have heretofore been imported from without the United States, and he has the pleasure of stating that this business has been introduced with a fair prospect and the expectation of making it an established penitentiary employment.

The only business which has been carried on of which complaint has been made so far, has been the manufacture of boots and shoes by a very few of the prisoners; but if the mechanics who have complained of this occupation for the prisoners would take into consideration the fact that they have been employed in making a coarse article of boots and brogans, which it is believed are not manufactured in the city of Albany, and could not and would not be made by any regular mechanic in this vicinity at the prices at which similar work is bought by the dealers in the Eastern States, they will readily perceive that the limited manufacture of these articles at the penitentiary cannot interfere injuriously to the interests of any one.

The amount appropriated for building workshops has been expended in the erection of a building for this purpose 150 feet long by 32 feet wide, with a cellar under its entire length. By this expenditure two fine well-ventilated workshops 75 by 30 feet in the clear have been secured, as also desirable room in the cellars for storage, &c., for the preservation of property belonging to the institution. In consequence of the rapid influx of prisoners it already is necessary to erect more cells for their accommodation.

The whole number of prisoners received since the first commencement of the penitentiary in April, 1846, has been eleven hundred and sixty-seven.

The prisoners have generally evinced an entire and ready obedience to the rules and government of the institution, no case of bad conduct having occurred requiring anything like severe punishment, (corporal punishment has never been resorted to since the institution was first established,) while at the same time a strict, uniform, thorough, and vigorous discipline has been maintained.

It is with much satisfaction the superintendent is able to say that this very desirable result has been accomplished through the instrumentality of a systematic mild course of treatment, and the moral influences brought to bear upon the minds of the prisoners, rather than by the exercise of coercive means.

The health of the prison has been generally good, although as will be seen by the report of the physician, the cholera made its appearance among the prisoners after it had visited and entirely disappeared from the city. No local cause could be discovered for this extraordinary sickness.

Of the prisoners who have been discharged from this institution, some few are giving evidence of the good effect of their imprisonment by an industrious, sober life, and are evidently desirous of becoming useful citizens; yet in the opinion of the superintendent, from the experience he has had, the length of time of confinement is not sufficient to effect to any great extent the reformatory object of the system. It does not afford the prisoner generally sufficient time for reflection, or to wean him from his vicious course of life, or to confirm or establish the industrious and orderly habits to which he is subject while here, or to permanently implant in his heart the principles of virtue and good morals. Although unfavorable to sentences of extreme duration or severity, the superintendent believes that a proper and discreet medium should be observed.

It ought not to be expected that a few days imprisonment, discipline or instruction will make any very lasting impression upon a mind willingly corrupt and which has for years been pre-occupied with the vilest associations. The sentence should be sufficiently long to give ample time for reflection that the prisoner may be led to think—to review his past wicked and criminal course of life, and

while subjected to the labor and discipline required of him, feel at one and the same time, the hardship of transgression, and the justice of his sentence and confinement.

All which is respectfully submitted.

AMOS PILSBURY,  
Superintendent.

PENITENTIARY, Albany, Nov. 1st, 1849.

HARTFORD CO. JAIL, Feb'y 7, 1850.

Dear Sir: In answer to your enquiries of the 5th inst., I forward you herein such data as is derived from the report of this prison for the year commencing April 1st, 1848, and closing March 31, 1849, our last fiscal year.

Whole number committed on criminal process, 127; for assaults, &c., 43; drunkenness, 12; lewdness, 12; theft, 26; arson, 4; forgery, 4; vagrancy, 4; cruelty to children, 4; murder, 3; breach of peace, 3; robbery, 2; cheating, 2; rape, 1; attempt to rape, 1; selling spiritous liquors, 1; horse stealing, 1; profanity, 1; counterfeiting, 1; burglary, 1; obstructing railroad cars, 1.

Under sentence, .....	72
“ bonds for trial, .....	39
For temporary safe keeping, .....	16
Males, 117; females, 10, .....	127
Ages: 21 years and under, 35, over 21, 92, .....	127
American 71, Irish 34, African 18, Scotch 4, .....	127
Aggregate time of all in prison, weeks, .....	1,099
Average time of each, .....	7½
Aggregate “ all under sentence “ .....	751
Average “ each “ “ .....	9¾
Aggregate “ all before trial, “ .....	348
Average “ each “ “ .....	5¾
Number in prison at last report, .....	19
Number received during the year, .....	127
Whole number in prison during the year, .....	146

The financial view for the year is as follows:

## Disbursements.

For provisions,-----	\$876 91
medical expenses,-----	39 09
bedding and clothing,-----	95 42
fuel,-----	244 55
stock and tools,-----	111 74
repairs and fixtures,-----	95 10
incidental expenses,-----	93 84
salaries and wages, including my own, deputy and his board, chaplains, and wages and board of all domestics,-----	838 00
cash paid to county treasurer, being net gain for the year,-----	784 74
	<hr/>
	\$3,179 39

## Receipts.

From the State, for board of prisoners under sentence,-----	\$1,502 09
“ for board of prisoners before trial,-----	696 36
“ for medical expenses,-----	39 09
“ for clothing,-----	76 91
From the avails of labor of prisoners,-----	864 94
	<hr/>
	\$3,179 39

All convicts are by law required to labor. No compulsion to labor on those detained for trial, but many prefer it, nearly all; though the labor of all, owing to their short terms here, is not very productive. Boot fitting and botoming is our only branch. We prefer this on account of its simplicity, and especially for its adaptation to a quiet thorough discipline.

Every prisoner is required to wash three times daily, under supervision, at a common pump, and each morning, hands, arms, face and neck thoroughly. In summer they all pass through a shower bath weekly, and like it as a luxury. In winter we use the shower bath but little, unless the prisoner should wish it.

The plan of our prison you probably understand, i. e. it is a “prison within a prison,” on the Auburn plan; warmed by common stoves placed in the areas where the labor is also performed and each cell having one and the lower tier two orifices communicating with the

attic for ventilation. The only ventilation, however, which will satisfy my notions on the subject is what we practice here, i. e. we form all our prisoners in line each morning, however cold and march them briskly around the centre block, meantime having our large windows (4 feet by 10) thrown open for the free admission of air in strong currents all over the prison. This keeps us constantly pure and sweet, which no other means that I have ever seen will do. Fixed ventilators are good as far as they go, but whoever depends solely upon the best of them, where men are constantly confined, will have more or less of the peculiar and unwholesome prison effluvia, which we never have here under our mode. It does one good to see our prisoners snuff up this cold, pure and fresh morning air, while marching and to observe its invigorating and vivifying effects upon their countenances.

Our prisoners eat and sleep in solitude in separate cells, but labor in company, though in silence and under constant supervision.

There has been but one death here since this prison was built, 13 years ago, and that was a case of suicide by an Indian under *delirium tremens* in 1840. No case of fever or other serious disease has ever occurred here; the only sickness has been those slight cases of disease contracted before reception by vicious habits and intemperance. We have no lunatics, merely as such, committed here. I attribute the unprecedented health of this prison to our thorough ventilation and cleanliness, more than to any and all other causes combined.

I believe the foregoing covers the ground of your specific enquiries, and I would cheerfully communicate further in answer to your general request if I had time, especially upon the moral and religious aspect of the subject, in my view altogether the most interesting as well as important. From the earnest desire I feel that the cause in which you are engaged should succeed, I have already trespassed upon time otherwise required, but did not feel at moral liberty to withhold answers which might serve you some good purpose in your philanthropic enterprise. You will therefore pardon this hurried response.

With the best wishes for your success,

I am, dear sir, very respectfully, yours,

N. H. MORGAN,  
Keeper Hartford Co. Jail.

JOHN D. RUSS, M.D.,

Cor. Sec. Pris. Assn., N. York.

OFFICE OF WINDHAM COUNTY PRISON, }  
 February 26th, 1850. }

JOHN D. RUSS, M.D.

Dear Sir: Your favor of February 5th was duly received and contents noticed. In reply to your inquiries I will state as near as our manner of keeping the accounts will permit. Whole number of prisoners during the year past admitted to this prison is fifty-three, 49 males, 4 females; 8 colored persons. Drunkenness, 14; assault, 14; theft, 7; breaking windows in night, 2; selling spirituous liquors, 2; vagrancy, 4; forgery, 1; prostitutes, 2; killing horse, 1; slander, 1; non-payment of taxes, 2; trespass, 2; highway robbery, 1. Recommittments, 1. 4 have been sent to State Prison; 41 have been discharged by expiration of sentence or by due order of law, and 8 now remain in prison; of the above number 7 have been bound over for trial to the county or superior court and sent here in fault of bail. The cost of support of prisoners is about \$500; salaries, of keeper, \$300; inspectors, \$60; total expense, \$860. The income for labor of prisoners, \$863. Received from State Treasury for board, \$719. 94. Principal employment of prisoners in winter is making *baskets*; in summer, work on land with all that it is safe to take out of prison. All under sentence labor, according to strength and ability. Those detained for trial *only*, work if they choose, but work is *not* compulsory on them. No conveniences for bathing; prison heated by box stove in hall or work shop in front of cells; each cell is ventilated in walls; each prisoner eats in his cell. No cases of disease; one case of delirium tremens; no death. There is about six acres of land connected with this prison owned by the county, that is cultivated by labor of prisoners, and jobs of ditching, hoeing, mowing, laying wall, &c., is taken of farmers in the neighborhood when the prisoners are of the proper character to do such work to advantage; but *few* of those sent here for small crimes who have families will escape, even if they have an opportunity. I think of nothing further that will be of interest to you at present.

Respectfully yours,  
 JOHN S. SEARLS,  
 Keeper Windham County Prison.

COUNTY PRISON OFFICE, }  
 New Haven, February 7, 1850. }

JOHN D. RUSS, Esq.,

Dear Sir: I have just received a letter from you making some inquiries relative to "County Prisons." I would say with regard to

our prison that we have received during the past year about 300 prisoners, part of whom have been sentenced here, and part have been waiting trial. We have received during the past year 44 females of various colors; all of them were sentenced here, excepting two that were sent to "States Prison." We have had during the past year an average of 40 prisoners, (including male and female,) I should think about one fourth of the whole were colored persons. There has been sent to the State Prison 18 the past year for high crimes; those for the smaller offences are sentenced to this prison. During the past year we have received one for murder, (who is now under sentence of death,) 5 for burglary, 53 for assault, 124 for drunkenness, 44 for theft, 2 for "intent to kill," 5 for vagrancy, and others for various crimes *too* numerous to mention. The income from the labor of prisoners and what we receive for board supports the prison. The State pays two dollars per week for board of prisoners, yet not an unimportant part is made up from the avails of prison labor. The prison after paying all expenses has yielded the county an income of \$1,000 per year, (some years even more than this,) which is paid into the county treasury. About one-half of our prisoners work, those that are waiting trial do not work (unless they choose to) those *only* that are under sentence are compelled to work by law. (*Most all of them prefer to work.*) We find fitting boots the most profitable business that we have tried; about two-thirds of those that *do work*, work at that; the rest work at seating chairs, making baskets, joiners work, &c. You ask what conveniences we have for bathing; we use a "bathing tub," which we find quite necessary to bring into use when we initiate them, many of them are very filthy when they are first received; they do not bathe at stated times. Our prison is heated by stoves placed in the halls of the prison, and as the cell doors are grated, it heats the cells sufficiently. Each cell has a ventilator, which gives to the whole prison sufficient ventilation. Each prisoner eats by himself in his cell. With regard to sickness we have none, except a few cases of "*delirium tremens.*" There has been only two deaths in this prison in five years, those were occasioned by the effects of liquor. 34 recommittments.

Yours, very respectfully,  
 ANDREW BRYAN, Jailor.

The following letter was addressed to Col. Jebb, inspector general of prisons for England, and we would ask especial attention to the very able essay upon the present state of prison discipline in Europe, which was received in reply to our communication.

OFFICE OF THE PRISON ASSOCIATION, No. 15 Centre-st., }  
*New-York, December, 1849.* }

Dear Sir: In behalf of the Prison Association of this city and State, I take the liberty to ask of you such information as you may have in your power to impart, in relation to the progress and present state of prison discipline in England. The Association having no regular correspondent on your side of the Atlantic, is but imperfectly advised of the progress of the great work in which you have taken so distinguished a part.

As one of the Prison Inspectors of Great Britain, it may, perhaps, be in your power, without expense or much personal inconvenience, to provide us with the reports of your Board, commencing with the ninth, and coming up to the present year. We should be greatly obliged to you for a complete set of reports of county prisons, houses of refuge, and other disciplinary institutions, as may be consistent with your convenience.

The Association would feel greatly indebted to you if you could spare an hour from your numerous avocations, to give us a detailed account of what is transacting in England in the way of prison discipline. How many prisons have you on the Separate plan? What reports do they bear to the old prisons? What beneficial results have been found to flow from the new prisons? What apparent influence have they on the health, lives, or sanity of the prisoners? What trades or occupations most successfully taught? &c., &c., These, with many other questions which will suggest themselves to your mind, although, perhaps, most of them will be answered in the reports which I trust may be in your power to furnish us with, would acquire additional weight and influence if confirmed by your own individual opinion and belief, in such a way that they can be presented in our fifth annual report as a part of our correspondence.

We also wish an expression of your views and the results of your experience, to direct us in the path we should enter. Our Association has thus far maintained a neutral position, except in relation to houses of detention. While the war has been waging warmly between the Auburnites and Separatists, the Association are not yet committed to either side. I think the prevailing sentiment among our members is favorable to separation; still there are many who hold a sort of intermediate position, adopting neither as a system, but endeavoring to combine the advantages of both. Thus they propose

in future to construct all our prisons in such a manner as that the cells shall be large enough for either the introduction of the Separate or Silent system; they conceive this to be necessary to develop the advantages of either, and to be requisite to secure perfect health. They then propose to make the first term of imprisonment separate, extending over a period of from four to six months; during which time the convicts are to be closely watched, and then classified according to their evident dispositions and moral condition. This position, you will perceive, is a progressive one, and will enable us either to establish a new mode of discipline, or fall back on either of the old systems which experience may prove to be preferable.

We should be happy, Sir, to have your opinion as to the probable results of such a movement, together with such other suggestions as you may think proper. We are particularly desirous to know what has been done in England of late, in regard to warming and ventilating prisons. Does the Pentonville apparatus fully and entirely answer your expectations and desires?

Hoping that you will feel sufficient interest in our operations to aid us in the manner we have taken the liberty to suggest,

I have the honor to be,

Very respectfully, your obt<sup>d</sup> serv<sup>t</sup>,

JOHN D. RUSS, M. D.,

*Cor. Sec. Pris. Assoc'n.*

COL. JEBB, *Insp. of Prisons of Great Britain, London, Eng.*

Dear Sir—Though I have not leisure to do more than very imperfectly to comply with your request for information on the state of prison discipline, and the progress made towards a uniform system in this country, I will endeavour to give you a brief outline, which may enable you to form some general opinions on the subject.

In order to understand our position, it is necessary to bear in mind the broad distinction that exists between convicts under sentence of transportation, who undergo probationary periods of discipline, varying from two to five or six years; and prisoners under ordinary sentences of imprisonment with hard labor in county or borough prisons, the average duration of whose confinement does not exceed six or eight weeks. The proportion of this class, confined for even twelve months, is very small.\*

\* Out of the total number 73,713 sentenced in one year, only 1800 were for periods of twelve months and upwards, and 70,000 were for periods of three months, and under six, Vide 5th. report of Inspectors of Prisons.

It will, perhaps, be admitted, that the main objects to be attained, with reference to these two classes, are essentially different.

The punishment of the convict under sentence of transportation consists in his removal to a distant land, the disruption of all his social ties, and his being subject to penal restraint in one form or another, for very long periods.

In his case, probationary periods of imprisonment, previously to being sent out of the country, are enforced, not so much with a view to his *punishment*, as to his *reformation*. Although the imprisonment, doubtless weighs heavily upon him, and to himself is a great aggravation of his sentence of transportation, yet the bearing of the present system of treatment is, from first to last, expressly directed to preparing him by instruction and industrial training, for becoming useful to himself and others in the colony to which he may be sent.\*

The punishment of prisoners committed to a common prison for short periods of hard labor and corrective discipline, on the contrary, should, I conceive, be inflicted more with a view to its exemplary effect in deterring others from the commission of crime, and to create in the individual himself a salutary dread of a prison, than simply for his reformation, which, though of great importance, is secondary to the main object of his imprisonment.

The short period during which a prisoner is under coercion forbid the hope of making any permanent impression on his character, and if he and others be not deterred from the commission of crime by the fear of punishment, both objects of his committal to prison are lost. It is obvious that if he be neither reformed nor deterred, the expense is thrown away, and, under such convictions, we must not be surprised if an increase in the number of committals takes place,

Keeping in view the distinction between a convict and an ordinary prisoner, I will briefly explain the provisions that are made for carrying out the objects to which I have adverted, and the systems of discipline which are in operation.

First, As regards convicts under sentence of transportation.

\* These periods of probation are carried into effect under the immediate superintendence of the home government, because painful experience has proved, that to attempt reformation in another hemisphere, is hopeless.

During the detention in England, they are under the immediate control of the secretary of state for the home department.

The following is a return of the different convict establishments at the disposal of the government, with the accommodations of each, and the kind of discipline :

*Millbank*.—Males 1,100; females 200. Discipline—modified separation only, in consequence of the unhealthiness of the place.

*Pentonville*.—Males 508. Discipline—complete separation for periods not exceeding 18 months, but generally not exceeding 12 to 15 months.

*Portland*.—Males 840. Discipline—Associated labor; separation at night.

2 *Hulks* (Woolwich).—Males 850. 2 *Hulks* (Portsmouth); males 880. Discipline—the men crowded together on board, and employed in dock-yards. System necessarily imperfect until buildings are provided on shore, when the system in operation at Portland will be introduced.

*Parkhurst*.—Males 720. Discipline—Boys not exceeding 16 years of age, separation for 4 months; association afterwards, and industrial training on the farm.

*Invalid Depot at Horncliffe* (temporary).—Males 500. Discipline—light labor in association. Total males, 5398; females, 200.

Besides these establishments, the government rent a certain number of separate cells in the following county and borough prisons, to which convicts are sent to undergo their first probationary period of discipline, on the same system that is in force at Pentonville, Viz :

Wakefield, .....	400 Cells.
Leicester, .....	120 "
Northampton, .....	55 "
Leeds, .....	75 "
Preston, .....	50 "
Bath, .....	24 "
Reading, .....	40 "

Total, .....

764

In all, .....

6362

The Irish convicts are separately provided for, but the principle of the discipline to be established for them will be the same as at Pentonville and Portland.\*

At Bermuda and Gibraltar there are about 2600 convicts, employed on public works, who are now chiefly in the hulks, but will be brought under the same system of management.

*Outline of the System. §*

A "notice" of which I annex a copy is placed in the hands of each convict on first entering a government prison, which will explain some of the details of management which the government have established for the combined objects of reformation and punishment.

On reading this notice, it will be observed that the men are first subjected to about 12 months' separate confinement, and are afterwards sent to labor in association on public works for a period proportioned to their respective sentences.

This considered as a system brings us in contact with the great questions at issue in America, and to some extent in this country. viz : separate confinement versus associated labor.

I cannot pretend in the few sentences to which I must limit myself, to enter on a discussion upon which volumes have been, and may yet be written, but will state briefly that my own opinion, which can be only of the slightest value, when it is supported by facts and experience, or by the common sense of mankind in general, is decidedly in favor of a mixed system for carrying out all sentences exceeding 12 months.

I think the advocates of any exclusive and general principle either of separation or association are in error, and that the period of confinement, and the object to be attained, ought, in all cases, to be considered with a view to the introduction of such modifications of either one or the other, or more properly, combination of these opposite systems as are required by circumstances, or appear calculated to promote the main objects of the sentence.

\* A new prison of the size, and, in all particulars, of the same construction as that at Pentonville, has recently been completed at Mountjoy, Dublin, and Spike Island in Cork Harbour, will be occupied by 1500 to 2000 convicts, who will be employed on public works.

It does not seem consistent with the laws of Providence, or with the dictates of reason, to believe that a human being can be trained for the active duties of life by lengthened periods of solitude, or by compulsory silence

As regards the general application of separate confinement, and the periods to which it can be advantageously extended, I have observed in my 2nd. report, page 38, as follows :

" My own independent conclusion, founded on a close observation of the experiment made at Pentonville during nearly four and one half years, may, with due precautions, be advantageously and safely adopted in the prisons generally, and that in particular cases, and with care and watchfulness, it might, if necessary, be extended to 15 or 18 months."

" Beyond that period, even if it were desirable on moral grounds, I do not believe that the discipline could be generally enforced, even under the most favourable circumstances, without risk of injurious consequences to a large proportion of the prisoners."

" The moral objects of the discipline appear to have been gained during the first 12 or 15 months, and experiences has justified the opinion expressed by Sir James Graham in his letter to the commissioners in which he states : " Eighteen months of this discipline appear to me ample for its full application, in that time the real character will be developed, instruction will be imparted, new habits will be formed, a better frame of mind will have been moulded, or the heart will have become hardened and the case become desperate."

Mr. Kingsmill the chaplain at Pentonville, speaking of the extent to which separate confinement can be advantageously carried on moral grounds, adds his testimony to the same point in the following terms :

" With respect to the period of confinement, which is a most important question, the experiment appears to me *not* to have succeeded in proving that separate confinement can be *advantageously* carried on for longer periods than 15 or 18 months.

" But, however this may be as regards the physical energies of the men, there seems no sufficient reason on moral and reli-

Separate system modified

gious grounds for wishing for any extension of the period of separation beyond 18 months, but the reverse."

I also fully concurred with the commissioners of Pentonville in the following opinion expressed in the 5th. report: "The result of our entire experience is the conclusion, the separation of one prisoner from another is the only sound basis on which a reformatory discipline can be established with any reasonable hope of success."

It is upon this basis that the present system of the government in regard to the management of convicts is founded.

They are instructed in strict separation for periods varying from about 9 to 15 months, according to their character, and are subsequently associated on public works, under a firm, but mild system of discipline for periods proportioned to their respective sentences, being liable to be returned to separate confinement, if, by their conduct, they show that they have not profited by the previous training they have had.

Those who deserve it are subsequently removed with a ticket of leave\* to one of the Australian colonies, where, eventually, if they behave well, they may obtain a conditional pardon, on payment of the cost of their passage out, or they become free by expiration of their sentences.

The few who prove incorrigible by the discipline, are sent to the penal colony of Norfolk Island, and infirm prisoners serve out a proportion of their sentences at the invalid establishment, and are released in England.

In viewing the system as a whole, it will be observed that it consists of three probationary periods of discipline, as originally determined by Lord Stanley and Sir James Graham,† each distinct period being marked by progressive advances towards final liberty, for which the previous steps are calculated to prepare the prisoner.

\* It is necessary to explain that a ticket of leave is a revocable pardon, and that a convict during the period of his holding it, is subject to the surveillance of the police, and to certain restrictions, which will be better understood by reading an extract from the "regulations" inserted in appendix.

† See "Despatches" of Lord Stanley to the Governor of Van Dieman's Land, and the "Instructions" of Sir James Graham to the commissioners of Pentonville; the latter inserted at page 49 of 1st. report of Surveyor-General of prisons.

The change that has made in working out the details of the system consists principally in the probationary periods being carried into effect at home, under circumstances more favorable for accomplishing the proposed objects.

#### *Details of Discipline.*

The present system of convict management is yet in its infancy, but as regards the two probationary periods of discipline, the prisoners at Pentonville and Portland may be taken as examples of separate confinement and associated labor.

As regards the details of the separate system, I must refer you to the reports of the commissioners of Pentonville, and to some observations in my 2nd. report, page 47, on the necessity of affording a greater stimulus to industry. As regards associated labor, I will briefly explain the details of discipline at Portland.

The prison is so constructed as to give each prisoner a small, separate sleeping cell, seven feet long by four feet broad, and seven feet high. The cells are divided by corrugated iron partitions, and open to a large corridor or hall, affording perfect supervision.\*

It was first occupied in November 1848, and additional buildings having since been completed, the accommodation has been extended to the present complement of 840 prisoners.

The chief employment of the men is in quarrying and loading stone for the construction of an extensive breakwater in Portland roads. This work has long been deemed an object of national importance, but, until the practicability of executing it by convict labor was apparent, the great expense prevented its being commenced.

In this "notice" of which I have given you a copy it will be observed that the inducements to good conduct and industry are very great, a prisoner having the opportunity of obtaining a remission of one half of the probationary period of penal discipline.

In addition to this a system of classification is established for the purpose of encouraging the men by allowing some privileges to the best conducted, and of apportioning a small gratuity, which is placed

\* An idea of the construction may be formed by reference to plates XX and XXI, 2nd. report, and to the description, page 186.



to their credit, and forwarded for their benefit to the Governor of the Colony to which he may be sent.

The "regulations" are annexed in appendix.

In order to arrive at a conclusion in each case, records are kept by the different officers under whom the prisoners are placed, from which the monthly records kept by the governor and chaplain are made up. The greatest care is taken to do strict justice to each individual, and scarcely a case has ever arisen, in which a man has shewn any dissatisfaction with the result.

A badge is worn on the arm of each prisoner, shewing the number of months he has been at Portland, and whether his conduct and industry have been satisfactory, or otherwise during the whole or any portion of the period.\*

I would observe, in conclusion, that the question of "What are we to do with our convicts?" is one that has been loudly asked in this country for some years past, and the means of giving a satisfactory reply, have long been under the anxious consideration of the government. The question is, in truth, beset with difficulties. The numbers to be dealt with are large—the expense enormous—the moral interests of the individuals and of the colonies, in every point of view, momentous.

Each succeeding year has, however, brought with it experience valuable in pointing out the course in which the greatest advantages could be secured, with the least amount of evil, and each succeeding secretary of state has sought to profit by it.†

The general plan now in operation for the treatment and disposal of convicts may, therefore, claim to be founded on experience, and there appears no reason to doubt a more satisfactory result than has hitherto been obtained.

Any system that can be devised to meet varied difficulties and reconcile opposing conditions must have more than its share of inherent

\* The form of the badge that has been found convenient for this purpose is annexed and further explained in appendix.

† I allude particularly to Lord Stanley and Sir James Graham, who were secretaries of state for the colonies and home department from 1841 to 1846, and to Earl Grey and Sir George Grey, who have occupied these posts since.

imperfection. All that can be effected is to avoid the greater and more palpable evils, make the best of the lesser ones, and steadily to keep in view the main objects to be attained, and to work them out in a punctual and common sense way.

The records of Parliament may be appealed to in proof of the fact that there are periods in the history of our convict system, when the demoralization of every individual who received sentence of transportation was all but certain. No matter what his previous character might have been, the circumstances in which he was placed were such that there could be scarcely an exception in this general rule. If such a rule can by any means, be somewhat modified, so as to get the number who not only escape pollution, but are improved by the discipline, to anything like a majority (which I do not hesitate to say is now the case,) the Christian public of this or any other land, and all engaged in the work, have abundant cause to be thankful.

As regards the elements of the discipline which have been adopted, I am firmly persuaded of the advantages of commencing in separation, and if the instruction given during a sufficient period be effective, and have produced the permanent good which its advocates claim, and I most fully admit there is no reason to doubt, that with due precautions as to industrial training and superintendence prisoners may be associated without the sacrifice of moral advantages already gained. As far as present experience goes, at least, the result is encouraging.

Some prisoners may shew in association the bad feelings and passions which had been dormant whilst in separate confinement, and some exposures of hypocrisy may take place under the more exciting influences and temptations to which they are necessarily exposed, but not a few behave in a more satisfactory manner at their hard work than they had done whilst in prison, and the great majority make a vigorous endeavor to regain their character, and the position they have forfeited.

The industry of the men at Portland has been conspicuous. They have executed a very large amount of work, and I have every hope, that when there exists the means of more accurately recording the quantities, it will be found that the value of their labor will cover from two-thirds to three-quarters of the total expense of the establishment.

The punishment of the probationary periods is felt to be a great aggravation of their sentence by most of the men, but there are very few, who have been at Pentonville and Portland, who do not appreciate the benevolent designs of the government, or who embark without the most grateful feelings and expressions towards their officers.

For further particulars of the convict system, of the causes and prevention of crime, and, generally, on the effects which have attended the present system of management, I would refer you to the accompanying little book entitled "Prisons and Prisoners," recently published by the Rev. I. Kingsmill, chaplain at Pentonville.

He has had great opportunities for observation, and never having been a partisan of any particular system, his opinion, which is that of a pious and judicious man, is justly entitled to great weight.

You will find some observations concerning the application of separate confinement in a "paper," which I laid before the Congress on prison discipline, held at Brussels in September 1847, a copy of which I will send with the report you requested.

Secondly, with reference to the administration of discipline in the county and borough prisons.

I cannot do otherwise than state that the prison discipline of this country, considered as a whole, is in a very loose or unsatisfactory condition. We see here and there traces of the wisdom of our ancestors in the unrestricted associations of prisoners leading to the most extensive demoralization, but these, happily are now exceptions; in some prisons we have association under a rule of absolute silence; in others, the strictest separation; in some, hard labor; in others, no means of carrying into effect such a sentence, and between these extremes there is every possible intermediate variety.

Nothing, in fact, can be more uncertain than the degree or nature of punishment enforced under similar sentences in different places.

The number of prisons recently erected on the plan of Pentonville, and, therefore, adapted for separate confinement, has, in some measure, had its effect in an approximation to greater uniformity, and, in the end, will, doubtless, exercise a great influence in this direction, but, as yet, the advantages which the authorities now possess for establishing some sound and uniform system have not been developed.

This, I think, may partly be attributed to the magistrates not having, in all cases, considered the distinction to which I have already drawn your attention between the objects and discipline suitable for a *Penitentiary*, and those which more properly appertain to a *House of Correction*.

It may have been clearly seen that the discipline as carried out at Pentonville, was not severe enough for short periods, nor sufficiently penal in its character, generally, to have any effect in deterring from crime, but the alternative of rendering it more penal by separate confinement, combined with hard labor, has not always suggested itself, hence, the system has not been fully worked out.

As a practical illustration of the effect, I may mention that where the discipline of a prison has been of a mild reformatory character, it has not unfrequently happened that the inmates of a neighboring work-house have committed breaches of rule for the purpose of obtaining its superior comforts.

It is, I believe, proposed to have a committee of Parliament on prison discipline this session, which will be calculated to diffuse information, and remove many of the existing misapprehensions. I trust the result will be the promotion of some practically sound system, for public opinion is somewhat unsettled by the diversity of plans which have been promulgated.

My impression is, however, that for moderate periods, the separate confinement of prisoners, as a basis of discipline, will win its way by its own inherent merits.

Wherever it has been tried in this country it has been greatly appreciated, and, as other prisons come into operation, the influence of example will be felt.

The conclusion at which the government have aimed, has been repeatedly expressed and steadily adhered to for some years past.

Lord John Russel, when secretary of state for the home department, issued a circular in 1837, in which he recommended a separate system to the consideration of the magistrates at large, and expressed his own conviction in its favor.

Sir James Graham entertained similar views, and, in a debate which

took place on the 15th. of May 1849, Sir George Grey stated in his place in Parliament as follows :

"With respect to the existing system of separate imprisonment, he believes that the more it was inquired into, the more efficient it would be found, for, although it would require to be watched with great care and vigilance, it was a system which had been not only recommended by persons of great philanthropy, and enlightened and enlarged views, but by experience."

But it is one thing to recognise a principle, and another to apply it.

My own opinion of the means of applying the system as a corrective discipline for short terms, (which may perhaps, include all under six months,) is strictly to adhere to separation, (which is of itself, distasteful to the vicious,) and to establish a gradation of punishment, through which all convicted prisoners should pass. This might be done by enforcing in all cases for a certain period, some kind of positive hard labor, relating it in favor of employment during the longer periods.

The following explanation may serve to give a clearer view of my meaning, : assuming that four classes were established ;

*Class 1*, Or the lowest might have six or eight hours' penal labor, with moral and religious instruction only.

*Class 2*, Might have four to six hours' penal labor, the remainder of the day being devoted to industrial employment and religious and school instruction.

*Class 3*, Might have two to four hours' penal labor only, with instruction &c., as above.

*Class 4*, An entire remission of penal labor in favor of the other elements of discipline.

A hard labor machine fixed in a separate cell,\* on the tread wheel or crank machinery, divided into compartments, might be the kind of penal labor enforced. One or two months might be determined

\*See Plates 18 and 19, 2nd. report.

as the *minimum* period to be passed in each class, &c., committed prisoners having longer periods assigned to them.

I incline to an opinion in favor of distasteful penal labor, from a conviction that, in this country, at least, the notion of productive labor is a delusion, excepting when the power gained by a tread wheel or crank machinery is applied to some useful purpose.

No description of handicraft or manufacture carried on in a prison, can be enforced to an extent to be called *hard labor* in the literal sense of the term, for it is impossible to coerce men sufficiently ; and if their good will has to be enlisted, it is by some relaxation of penal discipline.

The labor that will be found the most economical and productive, here will be that which keeps the criminals out of prison by the fear of the punishment.

Under a gradation of punishment such as I have sketched, prisoners committed for a month or so, would be discharged with a lively recollection of what prison discipline really was, and those who, by serving longer periods, had passed through discipline in its severest form, would know the fate that awaited them if they returned, although on leaving the prison, they might have attained a class, in which instruction and industrial training had been substituted for penal hard labor.

This latter class would also be adapted for prisoners before trial.

If the question were to be decided on the opinion of the government, I think there is little doubt that separation would be the basis of discipline, and that experience would be decisive in its form, provided it was worked out in a common sense way.

But these questions are settled by public opinion, and it cannot be expected that they would make a continuous and steady progress in any one direction without opposing influences and hindrances, and giving rise to projects of various kinds, and in a quiet way, to a *little agitation* in favor of such as require artificial support.

Among the hindrances to rapid progress may be mentioned the apathy of some sections of the public, the false views of economy of

others, and the proneness of rate-payers and worthy people of moderate sympathies "to let well alone."

Among the theories recently promulgated, I only think it necessary to direct your attention to those respectively urged by two very benevolent and energetic men, Capt. Maconochie and Mr. Charles Pearson, the member for Lambeth, with whose names in connection with prison discipline you are doubtless familiar.

The main features of Capt. Maconochie's plan is that of substituting a sentence of a *certain amount* of labor, represented by *marks*, for the present time sentences.

I doubt its practicability and the soundness of its theory from its being impossible for a judge to pronounce a proportionate or just sentence between even two individuals, much less when hundreds are presented for consideration, so great is the difference of physical power, and aptitude for executing work of any kind.

It would, also, be obviously improper to place in the hands of subordinates a power of commuting sentence of time into an imposition of labor. This would be to open a door to every shade of favoritism, of injustice and oppression. Whatever may be the unequal effect of time sentences they have, at least, the merit of being more certain than the imposition of labor.

Mr. Charles Pearson advocates productive labor in agriculture and gardening. This plan would not only entail the abandonment of almost all existing prisons, and thus defer uniformity to a distant day indeed, but even if there were every facility for establishing 1000 men on 1000 acres as he proposes, and that instead of *doubt* as to its realizing more than a very small proportion of the annual cost, such an establishment could pay its way, the labor would, generally speaking, be an amusement instead of a punishment.

As a system of discipline, it would not therefore be at all calculated to deter from crime, but quite the contrary.

Such an establishment as he proposes, however, would be admirably adapted for receiving prisoners discharged from prison, and if by any means, it could be made sufficiently productive, it would be one of the great desiderata of the day. Let it be tried when and

where it may in this country, I fear the expectation of realizing profits will be a delusion.

My letter has extended beyond the limits I anticipated, but I cannot conclude without calling your attention to some evidence given before Lord Brougham's committee on the subject of the treatment of juveniles. You will find extracts in my second report, page 159 to 169, and some observations on the subject, page 58.

The treatment of this unfortunate class of criminals is one of the most interesting problems of the day. The attention of Parliament has already been directed to it, and I hope some remedial measure will ere long be adopted.

I shall be glad at any time to afford you further information, and beg you will believe me,

Very faithfully yours,

J. JEBB  
Lt. Colonel, &c.

P. S. Since writing the foregoing, I have been favored with a letter from Dr. Isaac Parrish of Philadelphia, with a very interesting report of the committee on the comparative health and mortality—length of sentences &c. of white and colored convicts.

Dr. Parrish particularly refers to the question of the length of the periods of imprisonment, which can be enforced under the separate system without prejudice to the mental or bodily health of the prisoner.

I have seen nothing to alter the conclusions at which I arrived some years ago.

Speaking on moral grounds. I should not like to see the period reduced below 12 months, nor do I think it ought, on physical grounds to be extended beyond 18 months.

I would also say that in any case in which there was reason to apprehend any injury to the mental or bodily health, which could be traced to the peculiar conditions of separation, that it ought not to be persevered in, if any other system can be adopted that is free from these objections.

J. J.

The following elaborate report received from Prof. Telkampf, on the infliction of punishment by separate confinement, in England, France and America, was made under the direction of, and to the Prussian government; for its translation we are particularly indebted to Jas. F. Chamberlain, Esq. superintendent of the New-York Institution for the Blind.

As the translator of the following article, I deem it my duty to state, that whatever defects it may present in its present dress must be solely attributed to me. I have seen no treatise on the subject, which exhibits in so lucid a manner, as the above has, the dangers attending separate confinement, too long protracted; original of this, the benefits resulting from its proper application. My own observation or the benefits that would result from the associated system in connection with the State prison at Trenton, both while the associated system is in force, and after the separate system was introduced, corroborate the principles here laid down, and I can only hope, that the good which the work is calculated to effect, may not be marred by the imperfect manner in which I may have presented the ideas of the distinguished philanthropist and scholar, my preceptor and friend, who is its author.

JAMES F. CHAMBERLAIN,

*Superintendent New-York Institution for the Blind.*

THE INFLECTION OF CAPITAL PUNISHMENT BY SEPARATE CONFINEMENT,  
IN ENGLAND, NORTH AMERICA AND FRANCE.—A REPORT.

By Dr. J. L. TELKAMPF,

Late Member, and now Corresponding Member of Prison Association New-York; at present Professor of Political Science in the University of Breslau, Prussia; and Member of various Learned Societies. Presented February 1850.

INTRODUCTION.

In the following treatise, I communicate the results of my recent investigations on the infliction of punishment, by separate confinement. It was incumbent upon me to report, as well respecting the more recent legislation in North America and England, touching the subject of separate confinement, as upon the penitentiaries in North America, England and France, which, as Commissioner of the Prussian Government, I visited repeatedly during the six months from the beginning of July, to the last of December, 1846. The number of my own observations, and the facts communicated to me by persons of highest credibility, in the course of my visit, are so considerable, that I am under the necessity, in order to avoid trespassing too much upon the time and patience of the reader, to communicate in a condensed form, only the most important results.

The most important and leading questions which have engaged the attention of statesmen of different nations in regard to this subject, are the three following:

*First*, What is the relative severity of separate confinement compared with that of other modes of imprisonment?

*Secondly*, To what duration, on medical grounds, should separate confinement be limited?

*Thirdly*, After the expiration of the term of imprisonment, what is to be done with the criminal?

I shall limit the present communication to the discussion of the mode and manner in which these questions are answered in the above named countries, and beg leave to refer to my former treatise upon the penitentiaries of North America and England, published in 1844. To obviate the results here communicated, I have repeatedly examined a great number of prisons; have frequently attended the sessions of the courts in the United States, England and France, and have made myself familiarly acquainted with the administration of justice and the penal laws of those countries. I mention the following as the most important of the prisons which I have visited, some of them repeatedly, and some of them for the first time.

I. PRISONS APPERTAINING TO THE SEPARATE SYSTEM.

A. In North America, the States prison at Philadelphia, in the State of Pennsylvania; the States prison in Trenton, in the State of New-Jersey; and the city prison in New-York.

B. The United Kingdom of Great Britain, contains already 40 prisons adapted to the system of separate confinement, capable of receiving about 10,000 prisoners, and there are also twelve new prisons of the kind in the course of construction. In Ireland, the new prison near Belfast; in Scotland, the prisons at Glasgow and Paisley; the general prison at Perth; the prison at Dundee, the new wing of which contains single cells; the prison at Edinburg, the new wing of which is also adapted to solitary confinement; in England the following new prisons, which are similar to the Pentonville prison, and are built after the plans of Major Jebb, Surveyor-General of prisons, namely the jail at Liverpool, at Leeds, (at that time unoccupied), at Wakefield, in Preston, in Reading, in Weedon, the Pentonville and Millbank prison near London, and at Parkhurst, upon the Isle of Wight, the prison for boys, where each boy is kept during the first month in separate, and for the rest of his time in congregated confinement.

C. In France, the prison for boys in the street La Roquette, in Paris, and the prison La Nouvelle Force, in the Faubourg St. Antoine, at that time incomplete.

## II. PRISONS APPERTAINING TO THE SILENT OR AUBURN SYSTEM.

A. In the United States: the prisons at Sing Sing, Auburn, on Blackwell's Island, and the House of Refuge for children in New-York, in the State of New-York.

B. In Great Britain: the Borough prison in Liverpool, the House of Refuge for boys, the old wing of the Edinburg prison, the prisons in Hull, in Manchester, and the convict ships, Justitia and Warrior, on the Thames near Woolwich, upon which a modified silent system prevails. I had besides an opportunity to witness the embarkation for transportation of 200 convicts from Millbank Penitentiary on board the ship Pestongee-Bomongee: and finally I visited in Paris, France, several old prisons in which neither the separate nor the silent system prevails, as for example, the prisons La Conciergerie, La Prison de Clichy for debtors, St. Lazare for females, St. Force and Madelouette.

My examination of the American prisons was materially facilitated in consequence of an act of the Legislature of the State of New-York, passed May 8th, 1846, by which the supervision of all the prisons of the State was entrusted to the Prison Association of New-York, established by myself and others in 1844.

With respect to my repeated examinations of the English prisons, I would make thankful mention of the great favors I received through the kindness of the present Ambassador, Chevalier Bunsen. In consequence of his commendatory letters to the most intelligent and influential men, I was enabled to derive the greatest benefit from my visits to the courts, the prisons, the manufactories, the banks, &c. To Major Jebb, Surveyor General of prisons, Lord Denman, and Baron Parke, two of the most distinguished judges of England, Mr. Teed, and the physicians Baron Brodie and Dr. Ferguson, members of the Board of Inspection of Pentonville, I would express my obligations for the candid and unreserved communication of their opinions and experience. For the anticipating and truly friendly reception vouchsafed me by these and many others, I hereby offer my most grateful acknowledgments.

In Paris, the prisons La Roquette and La Nouvelle Force, are alone interesting with respect to the subject in question. For the most important results of my investigations, I must designate the prisons of England, and I begin therefore with these my following communication, and leave the others, as being of less relative importance, for subsequent consideration.

In connection with the medical opinions on the limit of the duration of separate confinement contained in this article, I beg leave to refer to a treatise by my brother, Dr. THEODORE A. TELLKAMPE, of New-York, on the infliction of imprisonment according to the ends of the criminal law, which is to follow this article, and which, for its profoundness, and the depth of its physiological research, will commend itself to the thoughtful reader without any eulogy of my own.

### I. WHAT IS THE RELATIVE SEVERITY OF SEPARATE CONFINEMENT COMPARED WITH OTHER MODES OF IMPRISONMENT.

#### A. *Opinions of the English in regard to this question.*

Since the penitentiaries adapted to separate confinement that have been recently erected here and there in Germany, have been constructed after the model prison at Pentonville near London, and, especially, since the English improvements in the physical and moral treatment of prisoners may justly serve as examples; because, in the prisons of England at first the silent system, afterwards separate confinement in connection with transportation, and now a careful and prudent combination of both obtains; and as we are there aided by a more lengthened experience in legislation, so it is proper that these should receive our most careful attention in the introduction of similar modes of punishment.

The experience gained in the United States, and the alterations and improvements recently introduced there, increase in many respects the results which were obtained in England.

Until now, the longest duration of separate imprisonment in all the prisons of Great Britain was limited to two years. Did the nature of the crime demand a severer penalty, transportation might follow imprisonment, or might, without the previous confinement, be made to continue during life. If the judge determined on separate imprisonment, the sentence was limited to a duration of one-third or one-fourth the former legal penalty. Two years of separate imprisonment were regarded as equivalent to seven years of transporta-

tion. The choice between the two modes of punishment was left to the judge. In England and America, as is known, the law fixes only the limits within which the judge may exercise his discretion, and leaves it to him, after the jury have pronounced their verdict, to mete out the punishment in accordance with the circumstance of each particular case. Thus for example, the laws of the State of Pennsylvania for the year 1829, entrusted it to the discretion of the judge to punish high treason with from three to six; forgery with from one to seven; robbery with from one to seven; horse-stealing with from one to four; perjury with from one to five years of solitary confinement. (The laws of Pennsylvania punish but a single crime, that of murder, with death.)

The opinion, founded upon experience, prevails in England and America, that the public safety requires the *certainty* of punishment as the consequence of crime; and that the uncertainty in the *degree* of punishment which the judge may, according to the circumstances, inflict, is of less importance. The possibility of the infliction of the severer penalty would have the desired effect in preventing crime. In England it has also been left to the judge to fix, in each particular case, the proper relation between separate imprisonment and other modes of confinement. In case the latter were exchanged for the former, the duration was limited to one-third or one-fourth the period. In both countries it is considered impossible to fix a correct measure of punishment according to the requirements of justice, which could be made mechanically to determine the relation of separate confinement to other modes of punishment. They are therefore decidedly of the opinion that this, within certain limits, should be left to the judge, who is able most safely to apply it according to the circumstances of each particular case. It is commonly remarked that this discretion may be entrusted to the judge, since only men are appointed to this dignity whose character and talents entitle them to confidence. In the course of my visits to the public judicial tribunals of England and the United States, I have observed that the measure of punishment meted out by the judge was in general so just, that it was easy to perceive the jury and the witnesses coincided with him in the sentence. The publicity of the administration of justice evidently works as a practical discipline for the good of legal order.

In the longer terms of punishment, the change to a period of from six months to two years of separate imprisonment has had the desired effect, as I have been assured by the jurists of Ireland, Scot-

land and England equally. The dread of the people for a two years' term of solitary confinement is so great, that many criminals prefer transportation for seven years. In the shorter terms, on the other hand, a higher minimum than that hitherto in practice in England seems necessary for the attainment of the object. The severity of solitary confinement requires a certain duration in order to be felt. Its shortest continuance should be from three to six months, that the punishment may have a deterring as well as an improving effect. For minor offences other, and not disgraceful punishments, should be imposed. I have found everywhere in Great Britain, criminals in solitary confinement who had been sentenced for a few days or weeks only, who were constantly returning to the prison, and had become regularly accustomed to the short periods of punishment by which their criminal lives were periodically interrupted, until at length as repeated transgressors, they have to be more severely dealt with. Through the brief, but dishonoring imprisonment of a few days, the offender becomes accustomed to the prison life; the greater number of those thus disgraced, but not improved nor deterred from crime, find themselves shut out from honest employment, and driven again to their old practices. In England the judges punish slight offences at first with a few days, then with from ten to thirty days, next with a few months, and finally with two years imprisonment, or transportation. According to the assurance of Mr. Stuart, formerly police magistrate of Edinburgh, at present chief keeper of the prison at Perth; one woman in Edinburgh had been imprisoned forty times, and another sixty times. Idleness is the ruling passion of almost all recommitting convicts. If solitary confinement is to exercise a deterring as well as a bettering influence, it must continue at least for some months, and be connected with instruction and hard labor.

B. *Results hitherto attained in England from the system of solitary confinement for a period of from one and a half to two years.*

The results derived from experience in England, from the system of solitary confinement in its largest application, that of two years, are in every respect favorable, both as regards the moral improvement of the criminal and his qualifications for useful employment, and are as follows :

*First*, Solitary confinement guards the prisoners against mutual moral deterioration, and in general avoids this great evil of the older prisons more certainly than associated confinement. It has this effect, however, only when the prisoners themselves of their own will do not avail themselves of any possible modes of communica-

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tion. Those susceptible of improvement, and such as are imprisoned for the first time, may guard themselves against the evil influences of others in case they have no intercourse with the occupants of the neighboring cells. Depraved criminals on the other hand, find, even in separate confinement opportunity for mutual recognition and communication, (Compare my former work, page 39.) The matron of the common prison at Perth in Scotland, informed me that the former prisoners from Edinburgh and Glasgow acknowledged that they recognised each other perfectly, by their humming or singing in the chapel. And the keeper of the prison in Belfast, Ireland, told me that the communications of the prisoners in the chapel, notwithstanding the seats were constructed separately as at Pentonville, had become so frequent that the instruction was now given in the cells.

*Secondly*, When a sufficient number of good officers chaplains and instructors are appointed, as is the case at the Pentonville prison, each prisoner may be treated according to his individual peculiarities; The intractable are thus, without resorting to corporeal punishment rendered sufficiently docile; the reasonable ones may, through gentleness and judicious intercourse be led to improvement. Under these circumstances, this mode of punishment loses its *monotonous mechanical* character, through which many prisoners at Trenton and at Philadelphia have suffered mentally, in consequence of the entire absence of instructors, or the want of a sufficient number of them. The construction of the requisite buildings, the necessary physical and mental care of the prisoners, demanding the appointment of a greater number of officers and instructors after the model of Pentonville, render this mode of punishment peculiarly expensive.

*Thirdly*, It appears also that at Pentonville the attention paid to the moral improvement of the prisoners has been more successful than elsewhere; even there, however, very few have benefited from the number.

a. Of old offenders, and

b. Of those younger convicts, who from *obstinate unwillingness* take no interest in any kind of instruction. To this class belong chiefly those criminals who have been confined in other prisons, and do not believe that it can be the sincere aim of any one to promote their welfare: who regard society as their implacable enemy, and themselves as involved in necessary hostility with it.

c. Of the number of those who, from idleness or stupidity, make no progress.

These prisoners of the second and third classes usually differ as much in separate imprisonment, as if they were in complete solitude.

These classes of prisoners are sent back from Pentonville to the prisons from whence they came, and their places filled with more promising subjects. The greater part of those who at Pentonville were regarded as susceptible of improvement, have, after their discharge, conducted well. All reports of the officers in Australia, where the prisoners from Pentonville were sent, and the accounts of the officers and physicians of the ships in which they were transported, coincide with the carefully written statement of the talented chaplain of the Pentonville prison, *Mr. Joseph Kingsmill*, in this, particularly, that the large majority of the prisoners discharged from that prison conducted themselves as free laborers, orderly and industriously and thus gave proofs of their *improvement*.

Notwithstanding the moral results of separate imprisonment as realized in the Pentonville prison are proportionally so very favorable, it is nevertheless in its effects upon the mental health of the prisoners, so dubious, that the question how the moral improvement of the convicts may be attained without endangering their mental health has become a problem to the English physicians and legislators. It has been decided in the following manner;

C. *The more recent mode of inflicting punishment by separate imprisonment in England.*

In the recent English bill respecting the infliction of separate confinement, which during the last session of Parliament was presented for consideration, a *combined* system was proposed, embracing at first, separate, and afterwards associated imprisonment. As the English criminal colonies are at present in so unfavorable a condition, that it is deemed expedient for a time to give up the transportation of male convicts, for whom the Pentonville prison served as an improving preparatory school, so in England as well as here, the problem is now to be solved, in what manner the system of separate confinement shall be made to harmonize with the existing criminal law, and the criminals pass the period of their confinement at home. The proposed enactment in England respecting the infliction of solitary confinement, elaborated by SIR GEORGE GREY, secretary of state for



the home department, assisted as is said by Major JEBB Surveyor General of prisons, asserts the *moral* influence of this mode of punishment to be so favorable that it is intended to make the system general; modified nevertheless out of regard for the *health* of the convicts, so that the *period of separate confinement shall not exceed eighteen months*; that it shall not amount in the average to more than a year, and that afterwards in case of longer imprisonment, *associated labor* by day under injunction of silence, and *separation at night* shall supervene.

For confinement of longer duration, a system is agitated in England, similar to that which I have proposed in my treatise upon penitentiaries, published in 1844, page 162 to 166.

Separate imprisonment is, at first, to be general, but the physicians and officers of the prisons shall transfer to associated imprisonment, such convicts as are injured thereby, before the expiration of the eighteen months. In the separate imprisonment, *hard labor* shall constitute the rule, so as to render the punishment, notwithstanding the brevity of its duration, *detering* in its effect. The opinion prevails, that imprisonment at Pentonville, although dubious for the health, does not exert a *detering influence* upon the criminals. After the prisoners in their separate confinement, by religious and other instruction, and hard labor, are accustomed to a more considerate, orderly and industrious life than was the case in the old prisons, they are to be employed in the second division, *together*, upon the docks, the public buildings, and in the houses of industry. They are to receive compensation for their labor, above that which is required for their support, which is to be kept for them in savings banks. The government is to add to such savings a proportional amount, to enable the criminal after his discharge, either to emigrate or to undertake some useful employment at home. Those susceptible of *improvement* will thus be furnished with a stimulus to good conduct—at the same time it is considered as expedient to operate upon the more depraved through fear, and to threaten the incorrigible at their discharge, in case of a new offence, with transportation for life to Tasman or Norfolk island. According to the opinions expressed by some English statesmen, it is to be inferred that the incorrigible will be subjected to this punishment, as soon as the present lack of criminal colonies is removed.

The reasons, which in England, have led to the limitation of separate confinement, are,

*First*, The physicians declare a longer continuance of it prejudicial to health.

*Secondly*, Statesmen and chaplains of prisons, entertain the belief, founded upon *experience*, that the moral improving influence of the instruction imparted, operates favorably only when the prisoner has not become languid from confinement, on which account, a duration of from six to eighteen months is advisable. With this duration the excellent instructors and chaplains at Peltonville have effected much good. This prisoner deserves credit in this, as well as in every other respect, for its superiority.

In my publication already quoted, page 128, I have expressed myself at length upon this subject, and I would also refer to the detailed communication upon this point, in the interesting account of Prince Byron of Curland, upon "the new prison systems."

*Thirdly*, Experience has there shown, that separate imprisonment is not equal in its operation as was at first supposed, but that in different prisons, and under different officers, it is productive of very different results; and that it admits therefore of a very limited average duration, in order that the consequences may not be too prejudicial to the health in circumstances where unfavorable modifications exist.

*Fourthly*, The mode of building, and the necessary physical and mental care, consequent upon separate imprisonment upon the model of Pentonville, is regarded in England as too expensive to be applied to all criminals for a period of many years. (The yearly expenditure for 500 prisoners in Pentonville, according to the 4th and 5th reports of the Institution for 1846 and 1847, amounts to something over 16,000 pounds sterling, without reckoning the interest of the capital expended in the buildings.)

*Fifthly*, It is feared that an English jury would hesitate to pronounce the verdict of "guilty," if a longer period of separate imprisonment might be inflicted; for experience, during the time that the old English law was in force, which visited *minor offences* with heavy penalties, has shown that when the law or its administration, is according to public opinion, too severe, the jury by a verdict of "not guilty" in conflict with their duty, prefer committing perjury to cruelty, until legislation recognizing the fact ameliorates the law or its administration. The jury in this way, causes penal legislation in its reforms to keep pace with the sense of justice of the people.

While the English people, whose regard for the law is well known, through one of its organs, the jury, thus compels the amelioration of her superannated penal code, the participation of the citizens in the duty of jurors, diffuses a lively interest in the maintenance of good laws among the whole people. A general respect for the law is the surest safeguard of government. The regard which the English legislators have for the jury, in their proposed legal enactments, is, therefore, easily explained. The above remarks, may suffice for the explanation of the fifth division.

Only after publicity in the administration of justice has been introduced, the trial hastened, and the custody connected therewith shortened, so as to be less hazardous to the health, can solitary confinement, in case it is adopted, be applied without endangering the health of the prisoner.

*D. Is separate confinement equal in its operation?*

It has hitherto been generally assumed that separate confinement was entirely equal in its operation, and afforded, therefore, a general and safe measure of punishment. This assumption has not, however, been confirmed in practice. With respect to the material differences in the operation of separate confinement, which obtain in the American prisons at Philadelphia, Pittsburg and Trenton, according to the peculiarities of the buildings, the officers, the presence or absence of court-yards, &c., I have already expressed myself in detail in my work before cited. In England where the Pentonville prison serves as a model, it has been supposed that separate confinement in all prisons similarly constructed, would partake of the same character. A very great inequality notwithstanding, prevails. The Pentonville prison, however, as a model institution, so far excels all the other prisons of the kingdom, as well in the character of its officers as in the careful and expensive physical and mental treatment of the prisoners, that I have seen no other which could be compared with it. The officers of other prisons themselves directed my attention to many points of difference. To this we must add that the young, docile and healthy prisoners who were sent from other prisons to Pentonville, entertained the hope that being afterwards transported to New Holland, they should be free, and thus avoid from seven to ten years of their banishment in case they conducted themselves well at Pentonville. This hope served to keep up their spirits better than would have been the case elsewhere and caused them to feel the confinement less sensibly. Other prisons did not afford them this hope. While the

advantages of Pentonville as a preparatory school for a criminal colony should be duly acknowledged, it must not be overlooked that for Germany, which possesses no similar colony, Pentonville is less instructive than many other English prisons, in which the prisoners pass the whole of their confinement, at most but two years. The prisons at Belfast in Ireland, at Perth in Scotland, and at Liverpool and Preston in England may serve to illustrate this remark.

Mr. JOHN FORBES, the superintendent of the prison at Belfast, informed me that the Irishmen sentenced to two years of separate confinement, generally declared that they would have preferred transportation for seven years. It is evident that those upon whom the punishment is inflicted, are better able to judge of its relative severity than those who have not to suffer. In my conversation with some twenty-five convicts I found that among the Irishmen, with whom feeling, wit, and sociability prevail, this punishment more heavily than upon the taciturn Englishman or American with whom the understanding predominates. All the criminals with whom I conversed in Belfast, complained of the severity of their punishment more than the criminals in other prisons. This is the case, although the prison at Belfast is one of the best that I have seen. The influence of the punishment upon the Irishman seems to be especially terrifying. As to the improvement derived from the system, it was difficult, from the brief period of its application, there, to judge. Certain well known thieves, had, since the opening of the prison left the district, so as to escape the penalty of solitary imprisonment.

Among the Scottish prisons I select the general prison at Perth as the most instructive for us. All the criminals in Scotland sentenced to a year's confinement, or less, spend the period of their custody in the county prisons; the men, women, and youth sentenced to longer periods, up to two years, are consigned to the general prison of Scotland at Perth. I found there in September, 1846, 323 prisoners, 228 males and 95 females. This prison is older than the one at Pentonville, and has not, therefore, many of the more recent improvements of the latter. Separate confinement prevails, the prisoners are employed in various mechanical pursuits, and receive a portion of the proceeds above a certain amount; have instruction in religion, reading, writing, and arithmetic; take daily exercise in the court yard, and are visited daily by the officers and instructors of the prison. Although the domestic arrangements are similar to those at Pentonville, and although the overseer Mr. STUART, and the matron Mrs. M. MILLAN are excellent people, still, according to their

own acknowledgment, separate imprisonment is heavier there than at Pentonville. In the otherwise excellent prison at Glasgow, almost every prisoner complained for similar reasons. These lie in the longer continuance of the punishment and the severity of the Scotch character, on account of which the treatment on the part of the overseers is less mild than in Pentonville, or at Philadelphia; (the dun-geon and the handcuff were not unfrequently used at Perth); in the discouraging prospect of employment after release, since it is almost impossible in over peopled Scotland for discharged and disgraced convicts to find employment: and also in the spare diet of the prison, oatmeal and the like, which is common in Scotland. As the poor people in Scotland live more frugally than in England, so this circumstance exerts an influence upon the prison diet. On the other hand, the care bestowed upon good nourishment at Philadelphia and Pentonville, according to their experience rendered necessary by separate imprisonment, I have partly set forth in my former work, page 127, and shall take occasion to mention again. These circumstances in connection with the milder treatment at Pentonville, the effect of which the prisoner daily feels, makes the relative severity of punishment at Pentonville and Perth, very unequal, although the domestic arrangements in both are nearly the same. I conversed on different days in Perth with some 70 prisoners, men, women, and boys. All declared the punishment very severe, and so deterring in its character that they would certainly endeavor, not to return to this prison if employment was afforded them after their release. A prisoner of herculean frame laboring at the pump, of whom I enquired whether he had chosen that same labor, answered, that he had, and that it was not so severe as the oppressive uniformity of the cell. Certain of the prisoners there regarded the prospect of the criminals at Pentonville, for freedom and wages in New Holland as highly enviable, while it would be infinitely difficult for them in Scotland as released convicts, to obtain a living. This also the officers confirmed.

In the English prisons at Liverpool and at Preston, a great inequality in the operation of separate imprisonment prevails. The governors of both, Mr. GIBBS, at Liverpool, and Lieutenant-Colonel MARTIN, at Preston, formerly officers, are men of education and capability. In each prison, I found at my visit a new wing with separate cells in which the so called separate system prevailed, while in the rest of the prison the silent system was in force. Both so called systems, or rather modes of punishment are carried into effect humanely, in both institutions. Notwithstanding the punishment of separate imprisonment was more severe and deterring at Preston,

since the governor there, had introduced strict military discipline, while at Liverpool the punishment was administered as at Pentonville. The strict military discipline at Preston exerts so deterring an influence, that there are there very few relapses. On the other hand, the moral improvement of the criminal is not an object. The governor himself, said to me, "my discipline vexes them in so many little points, that these roaming fellows get heartily sick of it." To this should be added, that the nourishment at Liverpool was rather better. For the rest, there prevailed in both institutions, equal order and cleanliness; as indeed a high degree of cleanliness and much humanity exists in all the English prisons. The differences above-mentioned, make the same punishment very unequal in the two institutions, and I may say in general, that among many prisons I have not found two in which separate imprisonment was entirely equal in its operation. According to the experience hitherto attained, therefore, there is no exact, but only an average measure for the relation between solitary confinement and other modes of punishment; and the English rule, founded upon experience, by which the other modes of confinement are divided by these, and the duration of solitary imprisonment regulated accordingly, seems on the whole to give a very fair proportion.

## II. TO WHAT DURATION (ON MEDICAL GROUNDS,) SHOULD SEPARATE CONFINEMENT BE LIMITED.

The so called separate system was elaborated and applied in Philadelphia, without the council of medical men, only afterwards had they an opportunity to become conversant with it. In my repeated visits to the prisons of Great Britain, I have found in conversation, that all the superintendents expressed the opinion unanimously as the result of their observation and experience, that a duration of two years of separate confinement was the utmost limit of this mode of punishment which they could sanction; that even this period had been so perilous to the mental health of the convicts, that they could not give their voices for a longer extension of it; and certain members of the board of directors of the Pentonville prison, have expressed serious doubts as to the propriety of extending the duration of this mode of punishment. I felt myself, therefore under the necessity, as this question can only be decided by medical men, and such officers as are capable from their position to judge of the results from practice and not from theory alone, to address letters to the most celebrated physicians among the board of directors at Pentonville, Sir BENJ. C. BRODIE and Dr. FERGUSON, physician to the

Queen of England; and to Major JEBB, General Director of all the prison buildings of Great Britain, and member of the Board of Directors of the prison at Pentonville, and with whom I had become acquainted, to ascertain their views as to the proper duration of solitary imprisonment compatible with health. These gentlemen have consented to the publication of the following letters:

*"To Sir Benj'n Brodie and Dr. Ferguson.*

LONDON, Nov. 11th, 1846.

Gentlemen,—Visiting by order of His Majesty the King of Prussia, the prisons of this country, I take the liberty of asking the favor of your opinion on the period during which separate imprisonment, as a general system, can be applied without the fear of injury to the bodily and mental health of the convicts?

Your distinguished position as medical gentlemen in the Board of Commissioners for the government of Pentonville prison, and your great experience on this subject, render your opinion most valuable for every country where the separate system is to be introduced and the criminal code to be modified accordingly.

I have the honor to be, with great respect, gentlemen, your obedient servant;

F. L. TELLKAMPF."

A. *Medical opinion of Sir Benj'n Brodie and Dr. Ferguson respecting the duration of separate imprisonment.*

(Reply.)

"LONDON November 21st, 1846.

Dear Sir,—From the experience which the Pentonville prison has afforded us, we are led to the conclusion that the system of separate confinement may be conducted during a period of 18 months without injury to the bodily health of the convicts. Indeed we have no reason to believe that among those who have been or still are confined at Pentonville, there has been a larger amount of illness than would have existed among the same number of individuals of the same age, and of the same previous habits, if placed under other circumstances.

It appears to us that if this system exercise any kind of deleterious influence, it is on the mental, rather than on the physical condition of the convicts. Nevertheless the proportion of those who have suffered in this manner since the expiration of the first year after the

prison was opened, has been very small; and our opinion is, that, under a careful management, founded on the experience which has been now attained, there are very few individuals, who may not very safely be made the subjects of separate confinement during a period of eighteen months.

We have had no opportunity of observing the operation of the system during a much longer period than this; but from our general knowledge of the animal economy, we are inclined to doubt whether either the physical or mental health of the convicts could be maintained if the time of separate confinement were indefinitely prolonged, or if the spirits were not supported by the prospect of a change after a certain number of months.

We are dear sir,

Yours faithfully,

B. C. BRODIE,  
ROBERT FERGUSON, M. D."

PROFESSOR TELLKAMPF.

On account of the short continuance of separate confinement at Pentonville; the careful selection of the healthiest convicts from the Millbank depot, for this institution; on account of the alternation between labor, and properly directed instruction; on account of the sufficient exercise and healthy nourishment, and especially on account of the most careful medical attendance and mild treatment of the convicts in Pentonville prison, proportionally few of them have suffered in their mental health. According to the 6th. report of this institution page 31, of about one thousand criminals who have been confined there during the four years since its establishment, five have become insane, and twelve have been affected with delusions, (Täuschungen.)

To the distinguished Major Jebb of the Royal Engineer Corps, Surveyor General of prisons, justly celebrated for his able writings and his construction of prisons; and whose intercourse was very instructive to me, I directed in October, 1846, the following letter:

Dear Sir,—Being commissioned by His Majesty, the King of Prussia, to examine the prisons of Great Britain, I would ask the favor of your opinion on the result of separate imprisonment in this country; the period during which it can be safely enforced, and the mode it can be applied as a general system.

Your distinguished situation as Surveyor General of prisons, and as commissioner for the government of Pentonville prison; your various publications, and your plans on which all the new prisons of Great Britain are built, entitle me to consider you as most intimately acquainted with all the peculiarities and the working of the separate system: I have therefore taken the liberty of submitting to you the above questions.

I have the honor to be dear sir,

Your most ob't servant,

F. L. TELLKAMPF."

MAJOR JEBB, Royal Engineer,  
Surveyor General of Prisons.

To which Major Jebb had the goodness to send me the following detailed reply:

B. *Opinion of the Surveyor General of the English prisons, Major Jebb, respecting the limits of the duration of separate imprisonment.*

"45 Parliament st. 1st. November, 1846.

Sir,—I have received your letter acquainting me with the objects that have brought you to London, and requesting that I will give you my opinion on the results of separate confinement in this country, the period during which it can be enforced, and any information I can afford as to the mode in which it can be applied as a general system. The subject of prison discipline is of so much importance and at this time engages so much of public attention, that I at first hesitated to enter upon it, but feeling assured from the spirit in which you pursue your inquiries that you will apply every information you may obtain in furtherance of establishing a sound system, founded on experience rather than theory, I do not feel justified in withholding any opinions which the opportunities I have had, have enabled me to form.

The nature and particulars of the discipline enforced at Pentonville, the general results which have attended it, during nearly four years, would be best obtained from the reports of the Board of Commissioners to which I have the honor to belong. My own individual opinion is recorded in the enclosed report on the construction of the building, as follows:

"It has been necessary with a view to the due discharge of my duties, that I should practically acquaint myself with the details of the

discipline generally, and the further experience I have gained as a commissioner of the Pentonville Prison, has led me to the conclusion, that the separation of one prisoner from another is indispensable as the basis of any sound system. It would appear, however, that even should the construction of a prison admit of such separation, the means would still be required for varying the administration of the discipline to suit the varying circumstances under which it must of necessity be applied; that whilst it is desirable that a penal and reformatory discipline should be steadily adhered to for all convicted prisoners, and that the unconvicted should be protected by separation from loss of character and other evils, arising from association, the means should exist of rendering the discipline of the former class more stringent in certain cases, by placing crank machinery in the cells, or making some such provision for giving effect to a sentence of imprisonment with hard labor. This discipline would be applicable to those cases where, from the shortness of the period of their confinement, or other causes, there was no reason to expect a deterring effect from discipline of a milder and more reformatory character."

"In the foregoing observations, I refer to an application of the system, suited for securing the objects in view in this country, viz:

*First.* A system of discipline of a mild, reformatory character, adapted to periods of imprisonment varying from twelve to eighteen months, to which the class of offenders under sentence of transportation, and those under similar long periods of imprisonment in the prisons of the country, would be subject.

*Secondly.* A system of a more penal and corrective character, suitable for such short periods as would not admit of any hope of reformation, and for such characters as might be incorrigible by a milder system.

The principle of separation is admirably adapted to secure both these objects, but the administration of the discipline should, in my opinion, be essentially different. In one case, the deterring influence on others, which is the main object of punishment, is secured by the long period of the loss of liberty, and the discipline may therefore be safely relaxed in favor of reformation. In the other, the period being short, the deterring influence on others will be, the stringent and distasteful discipline that would be established, during at least a portion of the period of confinement. For this purpose, I strongly

advocate the introduction of hard labor, in combination with entire separation.

With respect to the period within which, as a general rule, a prisoner would be likely to derive any moral benefit by a system of separation, and of how long he could bear the confinement without injury to his health, the commissioners of Pentonville Prison, have never been called upon to express any specific opinion. Sir James Graham, then Secretary of State for the Home Department, in his letter of introduction to the commissioners, dated December 16, 1842, after advertising in a most clear and luminous manner to the objects of imprisonment at Pentonville, states his opinion as follows:

“Eighteen months of this discipline appear to me ample for its full application. In that time the real character will be developed, instruction will be imparted, new habits will be formed, a better frame of mind will have been moulded; or the heart will have been hardened, and the case will have become desperate.”

The experience gained in the working of the discipline during the past four years, has, in my opinion, confirmed the general soundness of these views, so far as the moral effects to be anticipated from the discipline are concerned. The results, however, have been more favorable than could have been expected from former experience, for there is every reason to hope that great good has been effected, and very few of the prisoners have proved to be incorrigible by it.

With respect to the physical effects on the mental and bodily health of the prisoners, I am of opinion that the period is as long as the generality of men can bear, without some prejudicial effect arising from it. Many might bear a longer period, and some would fail in a shorter time, but as an average, it is as long a period as I could share the responsibility of recommending to be enforced, and I have reason to know that this is the view of others competent to pronounce a decided opinion upon the subject.

I feel it right to state that the greatest care, both as regards instruction, the administration of the discipline, and the diet is necessary, in order to secure a successful result for any such period as twelve or eighteen months.

Her Majesty's Government having some time since determined on a change in the management and discipline of convicts, under sen-

tence of transportation, who have heretofore been sent to the penal colony of Van Deimans land, a new system of discipline, to be administered in this country, and applicable to a greater proportion of them, will probably be resolved upon. The details are, I believe, under consideration, and when they are promulgated, it will afford me much pleasure to give you any information I can on the subject.

I am, Sir,

With much respect,

Your obedient Servant,

J. JEBB, Major, R. E.  
Surveyor General of Prisons.

DR. TELKAMPF, &C., &C.

The details of this new composite system of punishment are already set forth in the following extract:—

(e) *Extract from a letter addressed to Earl Grey, containing the views of Sir George Grey, Secretary of State for the Home Department, on the period of separate confinement, to be enforced under his authority, taken from papers on convict discipline, and transportation, laid before Parliament, February 16th, 1847.*

It is not necessary that I should here enter into a minute detail of the arrangements and regulations which will be required for carrying out each of the successive stages of punishment. It may be sufficient that I should state that it is intended that the first stage, that of separate imprisonment, should in no case exceed eighteen months; and that the average term of such imprisonment should not be more than one year. It is proposed that this imprisonment should take place either in Pentonville Prison, or in such of the prisons in the country, as shall be ascertained on inspection, to have made arrangements properly adopted for carrying out the system of separate imprisonment, and in which space accommodation exists beyond what is required for local purposes. It is computed, that in addition to the 300 cells in Pentonville Prison, there are, or shortly will be, available in other prisons, a large number of cells for the reception of prisoners sentenced in Great Britain to transportation, and measures are in progress for the erection in Ireland of a prison on the model of Pentonville Prison, for the reception of Irish convicts. It is further proposed, that this separate imprisonment should, towards its close, be gradually relaxed, with a view to prepare the prisoners for the second stage of imprisonment; employment on the public works.

(Signed)

G. GREY.

The Home office in London, is in possession of many unpublished reports respecting the sanitary condition of convicts in separate confinement, from which the view above expressed, as to the proper limit of this mode of imprisonment has been deduced as the result which they seem inclined to communicate freely to other governments. From a very interesting report hitherto confided only to the General Assembly of Prison Directors of Scotland, with respect to the separate confinement of youth, I make the following extract:—

(d) *Report on the state of mind of the Prisoners in the General Prison at Perth, in Scotland, by Dr. Abercrombie, and Dr. Christison.*

“Edinburgh, April 13th, 1844.

“At the request of the General Board of Directors of the prisons in Scotland, we visited the General Prison at Perth, on the 19th and 20th of March last, and again along with Lord Ivory and Mr. Rutherford, two of the members of the Board, on the 26th of the same month, with the view more immediately of inquiring into the situation of several prisoners, in whom there was reason to suppose that mental disease in various forms had been induced by the system of separate confinement pursued in the prison. Our attention, however, was also turned to the mental state of the prisoners generally, and likewise to their bodily health, and to the prison discipline and diet affecting it.

“We found some of the prisoners suffering under various forms and degrees of disease of the mind. Of 19 cases which had been reported to the General Prisons' Board on the 2d of March, by the Governor and Surgeon of the Prison, and of which a schedule had been put into our hands, we found that one had been dismissed in a state of good health, his term of imprisonment having expired; and most of the others were improving, but three others had been added since the date of the report, to the list of those in whom the separation principle had been relaxed on account of the approach, or formation of disease of the mind.

“Of these prisoners, in all 22 in number, nine were, or had been affected with hallucinations, either simple or combined with weakness of mind; twelve with weakness of mind only; and one with hysteric nervousness, threatening to pass into insanity. Of the twelve affected only with weakness of the mind, eight had shown a marked tendency to an increase of this state while they were con-

finied separately, and the four others showed the same tendency more obscurely.

“We have been led to ascribe the occurrence of a great majority of these cases, to the separation system, and for the following reasons: See how subtle and intricate

“In the first place, the general bodily health of the prisoners seems to have been hitherto good, as may be inferred from their appearance from the low rate of mortality among them; there have been only eleven deaths during the last two years, in a population which, throughout the greater part of that period, has amounted to about 330, and from the low average of sickness, which in 1843 appears, from a document furnished to us by the governor of the prison, to have been no more than two and a half days for each inmate.

“In the next place in many of the cases, the affection of the mind clearly originated in circumstances connected with seclusion; such as illusions of the sight or hearing in the night-time, or alarm and restlessness from excessive dread of sleeping alone.

“And lastly we found that while some of the prisoners, whose minds had suffered, continued at the period of our visit, to exhibit symptoms of mental weakness, and others of excitement and hallucination; the greater number had very much improved from the time when they had put each into a cell with a companion.

“We are satisfied therefore that the surgeon of the general prison acted with judgment and discretion in recommending that in all these cases, the principle of separate confinement should be departed from, to the extent which has been practised.”

From the very detailed report, the following points also, deserve especial mention:

“The cases of mental disease have occurred chiefly among the young convicts, those from 16 to 20 years of age. Sixteen of those enumerated were less than 20, and 11 of these not more than sixteen. On the 2nd. of March there were 128 males in the prison under 20 years of age, and of these, 59 not more than 16. Of the total number 12½ per cent have appeared to sustain injury of the mind; and among the boys not above 16; no fewer than 18¾ per cent are similarly affected.” age of prison

During the period of separate confinement, those limited to two years it appears, on the other hand, that *adult convicts, experience less mental injury.*

With respect to diet the report continues: "According to the experience of similar institutions, it may be regarded as a proper rule, with reference to health, for each convict to receive, daily, 29½ oz. avoirdupois of vegetable nutriment, and from 2½ to 4 oz. of animal food. Herewith accord the rules for the diet of the Scottish prisons; and it is found that epidemic diseases have appeared in similar institutions where the allowance of animal food was too much diminished."

(e) *Report of the superintending committee of Milbank, touching the duration and the modifications of separate imprisonment.*

The same grounds, which with the sanction of the Doctors ABERCROMBIE and CHRISTISON, induced the physician of the General Prison at Perth to depart from the principle of separate confinement in doubtful cases, and to give to each prisoner mentally affected a comrade, had previously prompted Dr. BALY, well known as an author, (translator of the Physiology of Professor JOHN MULLER, of Berlin,) the physician of the General Penitentiary at Milbank, near London, to advise the Board of Commissioners of Milbank, to ameliorate the separate principle, and introduce a composite system.

Compare the elaborate treatise of Dr. Baly, respecting the dangers of separate imprisonment for the mental health of the convict, and the Medico-chirurgical transactions, vol. 28, London, Longneau & Co., Paternoster Row; and also the reports of the superintending committee of the General Penitentiary at Milbank, laid before Parliament, March, 1842 and 1843. There is, besides, in the Home Department, a report from Dr. Baly, upon the former mental diseases in Milbank Penitentiary, which was not printed, to avoid prejudicing public opinion against separate imprisonment.

The following is from the printed report of the Superintending Penitentiary at Milbank, of the 18th of March, 1842:

"Great alterations have been made in the discipline of the institution. In consequence of a distressing increase in the number of insane prisoners, the committee, under the sanction of Dr. Baly's report, which will afterwards be noticed, came to the resolution that it would be unsafe to continue a strict system of separation for the long

periods to which the ordinary sentences of prisoners in the penitentiary extended. They therefore proposed that the system should be relaxed, with regard to all classes of prisoners except two, viz: Military prisoners, (whose sentences are in general extremely short) and persons who have been guilty of unnatural offences; and that, as to all other prisoners, the prohibition of intercourse should be limited to the first three months after their admission, and that upon the expiration of that period, they should be placed upon a system of modified intercourse, consisting of permission to converse, during the hours of exercise, with two or more fellow prisoners; the privilege to be suspended for misconduct; and such a classification, with reference to age, education, character, and conduct, to be adopted, as would render the indulgence as little injurious as possible in a moral point of view. The committee also proposed, that whenever the medical officer should have reason to believe that the mind or body of any prisoner was likely to be injuriously affected by the discipline, he should have the power of suggesting a change in the particular case.

"The rules for effecting the foregoing alterations having received the sanction of the Secretary of State, were brought into operation on the 14th of July last."

I found these rules in force, during my visit to this institution, although the Milbank Prison then served only as a depot for old prisoners, sentenced to transportation, and who were often detained there for weeks and months only. Even from Pentonville the prisoners came here for two or three months before their transportation, and were kept during the time in associated confinement. This associated confinement previous to embarkation, was ordered by Sir JAMES GRAHAM, former Minister of the Interior, in consequence of the following circumstance: At the time of his administration, frequent convulsions occurred among the convicts from Pentonville sentenced to transportation. No notice was taken of it, until a communication respecting it appeared in the public papers, which came to the notice of Sir JAMES GRAHAM, who instituted an investigation, and made the above regulation. This circumstance has been especially alluded to in the Tenth Report of the Commissioners for the Government of the Pentonville Prison, page 10.



(f) *Limitation and modification of separate imprisonment at Trenton in North America.*

In the prison at Trenton, I found, at my repeated visit in July, 1846, with the physician of the Institution, Dr. COLEMAN, that similar regulations had, for similar reasons, been adopted. The peculiarities of separate imprisonment were in fact abandoned, as too dangerous to health. In the partition walls near the heating apparatus, intentional openings had been made, through which the prisoners might communicate. I found besides, in accordance with the direction of the physician, here and there two prisoners in the same cell, or laboring together in the court. Dr. Coleman declared freely, that while separate imprisonment had been rigorously enforced, the consequences had been extremely prejudicial to health, and certain other officers of the prison affirmed that in Philadelphia they were unwilling to conceal the dangers of separate imprisonment, while the gentlemen by whom it was introduced, continued to be Inspectors. It is confessedly difficult to change one's preconceived opinions. In Trenton, on the contrary, the prison was regarded as something novel, and impartially judged according to its results. As I have expressed at length upon this subject in my former work, page 47, there is a lack of instructors and court yards at this institution, in consequence of which its results are particularly unfavorable. Its history exhibits, however, the effects of separate imprisonment in its rigid application.

We have here, then, three prisons, in which separate imprisonment has been introduced, viz: at Perth, in Scotland; Milbank, in England; and Trenton in America, in which the physicians, with one accord, have, on account of its danger to the mental health, occasioned a change from separate to associated confinement. This result has been attained, while as yet but little had been published on the subject, and the physicians, independent of each other, were guided by their own observations. In accordance herewith, we have a Swiss report, drawn up by Dr. VERREUR, (vice-president of the board of health, and member of the commission for the hospitals and houses of detention,) who says in reference to this subject, among other things:

"After nine years of scrupulous and careful experience, thirty-one cases of mental disease, and numerous relapses constitute so many facts observed since the application of perfect silence and solitude, which protest against the Philadelphia practice.

"From such facts, ought not the system to be modified so far as concerns us, who were once warm partizans of a system, the effect of which, we were assured, would be to reform the guilty, and intimidate the incorrigible, we deem it the fulfillment of a religious duty to publish the defects of a mode of punishment, in whose application we participated with confidence, until we discovered our error."

This common result, drawn from a careful observation of facts in different countries, teaches us the necessary consequence of the peculiarities of separate imprisonment. We must, therefore, regard what is proclaimed by the according experience of different countries, not as the result of chance, but as a general truth; for where repeated observation and experience lead to constantly recurring and according results, there is no longer room to doubt their reality.

To this must be added further, that consumption and scrofula are remarkably developed in separate confinement; on this account the convicts are often pardoned "on medical grounds," that is, on account of threatening dissolution, and commonly die outside the prison. This is the case in the United States as well as in England. Thus, for instance, according to the report of Milbank penitentiary, March, 1842, out of an average number of 692 convicts, 14, viz. 7 men and 7 women were pardoned "on medical grounds" during the preceding year.

For the Pentonville prison, as has been observed, the healthiest and best prisoners are selected by Dr. BALY from the Milbank depot, and Dr. BEES, at Pentonville, returns those he chooses not to accept. Still the cases of consumption and weakness are so numerous, that there is a constant necessity for lightening the labor of the convicts; for example, changing weaving for tailoring; and of the very carefully treated prisoners of Pentonville, there were pardoned "on medical grounds," according to the second report of the Institution, page 50 and 55, during the year preceding the 10th of March, 1844, three; according to the third report of the 31st December, 1844, page 17, seven; according to the fourth report, page 34, during the year 1845, four; and according to the fifth report, page 51, during the year 1846, one.

(g.) *Prison Fare.*

The remarks of Drs. ABERCROMBIE and CHRISTISON, in their communicated report respecting the good nourishment necessary in separate imprisonment, have been confirmed in this respect by the

experience at Philadelphia\* and Pentonville. In the Pentonville prison, a more spare diet was once attempted, as such fare was regarded in the public estimation to be proper for criminals; but it was found to be attended with danger to the mental health of the convicts, and it was concluded that separate imprisonment requires a more careful nourishment.

For breakfast, the prisoners there have Cocoa-drink; for dinner, soup; four ounces of meat weighed after being cooked, and a half pound of potatoes similarly weighed; for supper, hulled oats. Each prisoner has, besides, a pound of bread, with salt and pepper daily. Although this diet is better than that of most poor laborers, we still find in the 4th Report of the Institution, page 41, under the head of *Extras* for sick prisoners, for sugar, wine, &c., £130, 10s. 7d. sterling. Dr. BEES, the physician of the Institution, labors like a father for the convicts, in order to attain a favorable result, and was assured by the officers there that a similar case is necessary to obtain as favorable results in separate imprisonment, as is effected at Pentonville.

(h) *Limitation of separate imprisonment with respect to the moral improvement.*—Experience acquired at Pentonville and Parkhurst in this respect.

It is highly deserving of attention, that even for the moral improvement of the convict, according to the experience of the Pentonville Prison, the first 12 or 15 months of separate imprisonment works more favorably than afterwards. They have arrived at the conclusion there, that on this account, this mode of punishment ought not to exceed 18 months. The detailed report of the *Chaplain, Kingsmill*, contained in the Fifth Report of the Commissioners for the Pentonville Prison, 1847, page 42, wherein he gives the experience of that Institution since its establishment, with respect to the 1000 convicts hitherto confined there, is, in this regard, very encouraging. *Mr. Kingsmill* expresses the above mentioned conclusion, and says, "The loss of freedom and society, so necessary for a time, even according to the opinion of the prisoners, will become intolerable when they feel that they are prepared to be useful; and the question arises whether any further good can be attained by a longer exercise of the passive qualities of the mind. I have therefore desired to see a well ordered system by which the religious and social faculties might be actively exercised before the prisoners come from their solitude into the world. This is necessary to the attainment of

\* Compare my former work upon Penitentiaries, page 106.

the object in view, viz: the fulfilment of the duties of active life in civil society."

*Mr. Kingsmill* proceeds—"From the condition in which I found this class, when assembled before their embarkation, I am persuaded that after a certain period of separate imprisonment, a well ordered system of associated labor, instruction and religious exercise, much good might be accomplished. Really improved people would, as I have seen them on board the transport ships, prove themselves useful to their fellow prisoners; the greater number, I am convinced, would show themselves capable of elevation to the better feelings of mankind; and the entirely depraved would be sooner recognized than is possible in separate imprisonment, and would be treated as they deserve. Their overseers must have patience with the improving, and must evince an interest and confidence in improvement already made. In this way the desired good will be accomplished."

With the views of *Mr. Kingsmill*, founded upon long experience, my own observations of the mingled system adopted in Parkhurst Prison, which consists, at first, of separate, and afterwards of associated confinement agree, I shall give, therefore, in this place, a detailed account of the peculiarities of this institution, intended for juvenile delinquents, and a comparison of it with certain other prisons for similar offenders; as from thence, certain conclusions with respect to the probable consequence of the new infliction of punishment for adult convicts in England may be drawn. For according to experience among adult offenders, it is only the younger, and not the old hardened criminals that are susceptible of improvement.

The Parkhurst prison stands upon the Isle of Wight, and consists of two institutions. The older is occupied by the older boys. The more recent, which is placed upon an eminence, is for the younger boys. The entire prison is under the superintendance of Mr. GEORGE HALL, formerly an officer; and the recent institution under the especial care of the Chaplain, Mr. WELBY. Both seemed to me very clever people, devoting themselves heartily to their calling. In the older institution there is a recently erected wing, with separate cells, and a school room with separate seats. The mingled system is applied as follows: The newly admitted boys are, during the first 4 or 6 months, entertained in separate confinement, in the new wing; instructed and employed. They are there treated as the boys in the prison La Roquette, or as the adults at Pentonville. After being instructed in religious and other useful knowledge, directed to self-

reflection and accustomed to obedience, order and cleanliness, and weaned from former evil habits. The older boys enter the older prison, the younger ones the other. In these the boys are only separated at night. They are assembled by day, but continual silence is required, except at meals. They labor in common, and receive instruction in classes, in religion, reading, writing, arithmetic, geography, history, gymnastics, &c. The boys evinced in their schools, as I had frequent opportunities to witness, industry and intelligence; and their swinging and gymnastic exercises seemed to afford them real satisfaction. In the latter they exhibited to me willingly their great skill. Every thing necessary for the institution is produced in it, for the employments of the boys are shoemaking, tailoring, cabinet-making, blacksmithing, agriculture, &c. The boys take great pleasure in agriculture, obtain by it the greater part of the food of the institution, and also secure their health. This agrees with the economy of many of the manufacturers of England, who afford their workmen an opportunity to apply their leisure hours to agriculture and Horticulture, by which means the physical and pecuniary good of the laborer is cared for, and their children especially, trained by healthy and useful employments, as little gardeners, &c., to robust men. I saw in Parkhurst a division of boys working in the field under the oversight of an under officer, whose escape was not feared as Parkhurst lies upon an island. The boys are employed in separate places in small divisions, under overseers. They take their meals together; the nourishment is as healthy as that at Pentonville, already described, military order prevails. The boys march in silence to their work, to school, to meals, and to play. In their leisure hours they are permitted to converse and play under the observation of an instructor. It is delightful to witness these ranks of very healthy looking boys, marching in deep silence upon their play ground, and the sudden transition to cheerful tumult, the moment the signal for play is given. As soon as the bell rings for labor, all hasten back, in silence, to their employments.

The boys appeared to be very healthy, cleanly and orderly, and the chaplain, instructors and officers expressed themselves well satisfied with the moral improvement of the most of the boys, evinced by continued good conduct, and honesty in conversation and manners, while at their reception they had been very unreliable. The reports relating to Parkhurst prison laid before parliament for the last three years, contain many interesting facts in this respect.

Hitherto the boys have been sent from here to Australia to spend the last year of their punishment. They have been usually transported with the convicts from Pentonville, and the best among them obtained their freedom in the colony; the less reliable continuing under restraint. It has recently been determined however, to apprentice the boys, who appear to have been improved at Parkhurst, to artisans and farmers, as is done with much success in America, under the condition that those boys, who conduct themselves badly in this relation, shall be returned to the institution, and there finish the rest of their time of punishment. For the possible returns of the boys, their masters, and the county, in common with the police authorities shall take care. From the experience in America it is to be believed, that by far the greater number of such boys, are orderly and industrious, and become useful citizens. The really improved boys devote themselves zealously to the families by which they are protected, and those not improved know, that the rest of their punishment hangs threateningly over them, and that they will have to return to the prison, the moment they conduct themselves badly.

The opposers of this measure in England fear, that the whole system will not be sufficiently intimidating, and that poor parents will the more willingly incite their children to theft and dishonesty, in order to have them brought up at the public expense.

This doubt, however, with regard to such measures cannot be avoided, for if parents are so completely impoverished, or so heartless and vile that they seek to rid themselves of their children by leading them to crime, the children should be freely placed in houses of correction upon the model of Parkhurst; for it is these very children, thus neglected by their parents or guardians who constitute the ever renewing harvest of criminals. It is precisely here that the root of the evil may be grappled. It is more christian like, more consistent with the public safety, and cheaper withal while they are young, and corrigible and docile; and upon this docility everything depends, to train them up to usefulness, than to permit them to live by beggary and theft at the expense of civil society, until at length, hardened in crime, they must be convicted and imprisoned or transported, and this too at an age when they can as hardly be reformed as an old crooked tree be straightened. As has been said, it is impossible, as a rule, to improve old criminals even in the excellent Pentonville prison. The careful nurture of children is the surest preventive of crime, and one of the best means of promoting the public safety. It would be anomalous therefore to expend such large sums as is done

upon penitentiaries, and to be so sparing of the means necessary for the proper nurture of children. By such badly applied economy society brings upon itself the most serious injury; for the public safety is continually threatened and injured, by the ever increasing numbers of neglected youth, however the courts and the prisons may be filled from the rushing stream of abandoned criminals.

It is only necessary that houses of correction have a penal character, so as to exert a deterring influence in order that such institutions should not serve as inducements to crime, on this account, as well as with a view to improvement, all banishment should begin with several months of *separate* confinement, combined with *hard* labor, which generally intimidates idle and vagrant offenders.

Measures of this kind are necessary, for I found everywhere in England the prisons filled with a disproportionate number of very young culprits, who had frequently already suffered one or more brief terms of imprisonment. Upon inquiry as to the causes of this circumstance, I found them to be, in general:

*First, Neglect,* from the lack of good parental instruction, in consequence of the early loss of parents, elopement from them, or ill treatment of step-parents.

*Secondly, The taste for pleasure* too early awakened. The greater number of those youth had stolen in order to frequent the theatre, porter houses, &c.; this evil is so keenly felt, that the public attention is directed to the necessity of a more careful and comprehensive instruction of the people. The greatest difficulty in this respect consists in the fact, that compulsory attendance at school is regarded as incompatible with English freedom. The causes of this early depravity lie however less in the want of school instruction than the great lack of household discipline. The disposition and character of the child is formed more in the family than in the school, and the latter can very seldom supply the place of the former. Institutions like Mettray only, to which we shall hereafter allude, answer this end the most perfectly.

In the borough prison at Liverpool, I found a remarkably large number of juvenile delinquents, who in fact belonged to the age of childhood. They were *not* there, as at Parkhurst, detained in separate confinement during the first part of the time; but the boys occupy one division and the girls another. In both divisions they are constantly together. The instructors complained of the impossibility

of promoting reformation, and of the constantly relapsing children, and gave their decided approbation to the mode of instruction at Parkhurst.

Lord DENMAN, the distinguished Chief Justice of England, before mentioned, declared to me from his observation, that the constantly renewed crimes of children and youthful offenders, arose from the fact that there are a class of people in England, as with us, living from the proceeds of crime, among whom were very wealthy persons, namely, pawn brokers, who played the part of receivers with great cunning, inviting children and young people to crime, and then upon the trial, attempting to screen them as their instruments, by which a ceaseless burden was cast upon the police and the courts. The justice of these remarks I had myself an opportunity of corroborating, from the expressions of certain of the boys imprisoned at Liverpool. To my question whether they did not perceive that it would be better to lead an honest life, they replied, "that they feared, after their discharge they should again commit crime; they had no money, and must therefore hasten back to their old haunts, where they were acquainted with many bad people, who would again as before, take advantage of them, until they should again get into prison." One of them, to whom I related that the New-York Prison Association sought to protect the discharged convict against new errors, and obtain work for them, interrupted me eagerly with the request, "O can you not send me there, as soon as I am liberated; I would like to go there, where I could again lead an honest life." All I could do, was to enlist the interest of the officers of the prison in his behalf.

At Wakefield prison, one wing of which, containing about sixty cells, is occupied by boys. I spoke with some 30 of them, most of whom had already been three or four times in prison. They had been led into theft and burglary, not by poverty, but by vagrancy and frequenting theatres, taverns, &c.; were orphans, or had eloped from their parents, and had lived in infamous lodging-houses, notorious for their connection with receivers of stolen goods. In this way, much time had elapsed before they were arrested and punished. This early and deeply rooted depravity, must, by proper training in the family and school, be obviated. Such prevention of crime is evidently of more importance than its subsequent punishment.

The boys in Wakefield prison, remain in separate confinement during the whole term (at most two years). The effect is, notwithstanding, neither deterring nor reforming; they return as often as

when associated imprisonment prevailed. These facts show that neither system prevents relapses. The most certain method of obtaining this end, is by proper care for neglected children, employment, or the adoption of them into respectable families, as is done in the United States. Without care for the neglected, relapses are unavoidable. During the first year after the opening of the Wakefield prison, the boys were as rigorously confined as at the prison La Roquette, and were only allowed a little exercise daily. The consequence was, that very many became stiff in their knees, and besides very weak and unhealthy. This disappeared as soon as the superintendent allowed them to engage in foot-ball and other sports. The boys now receive their instruction, and engage in their amusements in common, and are healthy since the change.

From this experience I am little inclined to place entire confidence in the favorable reports which from time to time we receive respecting the prison La Roquette as for example in the *Gazette Médical de Paris XVIe, Année Troisième Série, Tome 1, Feuilleton, Une visite aux prisons cellulaires de France, page 906 - 919*. The experience of Wakefield prison sanctions the inference that the continued separation of the boys through many years in the prison La Roquette would have a very prejudicial effect upon the health, and in fact the frequent deaths in this prison are notorious. This prison was not originally intended for separate confinement, but was constructed after the model of Bentham, in vogue in England some thirty years since. It is notwithstanding as well managed as the old prison will allow, and the instruction and treatment of the children seem to be good. Many of them appeared, however, when I visited the institution in December, 1846, in comparison with the boys at Parkhurst, very pale and feeble. The malaria of the fever was suggested to me as the cause of this appearance; but the air seemed healthy. The prison lies open, and is surrounded only by low houses. As the complete examination of the French prisons, and their results, is much more difficult than in England, so it is less easy to decide as to the effects of the prison La Roquette; and as I was informed in Paris that the results had been communicated to the Russian minister at length, I shall pass them over in silence.

Unfortunately my time would not permit me to visit Mettray, which institution according, to general report, is one of the most instructive. At the same time with myself, MESSRS. GLADSTONE (a relative of the English Minister of Commerce,) and Chaplain TURNER, visited the Parkhurst prison. Both gentlemen had but a short time

previously spent considerable time at Mettray, and preferred the arrangements of the latter institution so decidedly to those of Parkhurst, that they purposed to attempt the modification of the institution near London, with whose oversight they were connected, viz: "The Philanthropic Society, St. George's Fields, in Middlesex," for abandoned children, after the model Mettray. They acknowledged the undertaking to be a difficult one, for the secret of success lay not so much in Mettray as in M. DEMETZ. Only a man, who, like M. DEMETZ, had made the reformation of juvenile delinquents the object of his life, and had devoted himself to this object with his whole soul, with conspicuous talent, with warmth of feeling and firmness of character; and who knew how to animate his associates with similar zeal, could hope to effect as much good as had been accomplished at Mettray. From what I have read of Mettray and M. DEMETZ, this judgment is undoubtedly correct, and therefore it is difficulty, although not impossible for a state to establish similar institutions under the direction of similar men.

According to the printed reports of Mettray, the fundamental principles upon which this "*Kolonie Agricole*" are founded are the following:

- 1st. In the employment of accomplished teachers in the education and training of the boys.
  - 2nd. In the formation of little family circles with an instructor at the head, and separate apartments for each so-called family.
  - 3d. In the use of moral suasion instead of force in the management of the boys.
  - 4th. In the healthy employment of the boys in agriculture, which also affords less opportunity for intercourse than sedentary employments.
  - 5th. In the combination of liberal contributions from private persons, with the support and protection of the government.
- M. Demetz has sought to make the arrangements at Mettray coincide as nearly as possible with the family economy. This principle comes the nearest to the nature of things. The family is the best nursery of all social and civil virtue. For the want of it, neglected children suffer more than from any other cause, as I think I have already shown by the examples in this respect, borrowed from

England. The nearer, therefore, that an institution for juvenile offenders approaches the family relations the better it is. This is the great merit of Mettray. Under the careful guidance of an *unpaid* teacher, who renders his service solely out of love to the cause, every 40 boys occupy a house and garden. The whole establishment numbers many such teachers and houses. The instructor lives with the boys constantly, teaches and labors with them. Confidence and affection animate both instructor and pupil, rivet them to M. Demetz and effect the well-known favorable results. In all the recent Penitentiaries of France, at Mettray, Bordeaux, and Marseilles, &c., for juvenile offenders, agricultural employes have the preference. Institutions of this kind are constantly multiplying in France, as for instance lately in the Department "*de Maine et Loire*" and "*de l'Aube*." The prison de la Roquette, although to be regarded as a well intended effort, boasts no imitators.

### III. PROPOSITIONS RESPECTING THE INFLECTION OF PUNISHMENT BY SEPARATE IMPRISONMENT.

If we review the communicated results of the experience obtained in England and America, and ask, what is to be recommended, the answer must be as follows.

The prisoners in Germany as well as in England, already built, or in the process of construction with single cells and courts, should serve,

*First.* For the abbreviated detention consequent upon the present public proceedings of criminals before judgment.

*Secondly.* For all convicts sentenced to houses of correction compulsory labor, or labor upon the fortifications. Of these, however, the following should be excepted. Separate imprisonment is not to be imposed upon: 1st. Convicts whose health requires a different mode of punishment: and 2nd. those sentenced to imprisonment for life, for it would be cruel and useless to retain these for a long time in the costly and mentally injurious *separate* imprisonment. As well with respect to the mental health, as the moral improvement, and the great expense of separate imprisonment, it is advisable that the convicts should pass the first period of their sentence, perhaps 12 or 18 months in separate confinement, being treated, employed, and instructed during this time as at Pentonville and Parkhurst, only the labor should be *more severe* than it is there, in order that the punish-

ment should exert a deterring influence upon the great number of lazy criminals.

According to English experience, it is deemed inexpedient with respect to the health, the moral improvement of the criminal, and the expense of this mode of punishment, to extend the period of separate confinement beyond 18 months or 2 years. I am likewise unwilling to recommend a longer period.

Should the experience in England and America be held as satisfactory, the first period of separate imprisonment might be fixed provisionally, at, perhaps, 18 months, and then the question might be laid before a commission of German Physicians, as to what duration separate imprisonment might be applied as a general mode of punishment without danger to the mental health of the convict. The criminals may, during the time of separate punishment, receive more instruction than in associated confinement. The chapels in all prisons without exception, should have separate seats, similar to Pentonville, for service upon Sunday and for instruction during the week.

As every English and American prison is placed under the superintendence of a number of men, who are partly officers and partly citizens, and who bear the name of "Inspectors," or "Commissioners," &c., so it would be advisable here, to constitute a similar superintendence of officers and private men, who reside in the vicinity of the prison. I have expressed myself at length on this subject in my former work, page 115, 117, to which I refer.

It is the duty of such Inspectors to visit the prisoners in their cells unaccompanied by the officers of the prison, and to see that they are not treated with cruelty. The authority might be confided to them in connection with the physicians and officers of the prison, as in England, *first*, to transfer those prisoners whose health began to suffer from the effects of separate confinement; and *secondly*, they should have the right, with the approval of the superior administration, to continue in separate imprisonment those convicts who might prefer it.

The number of those who of their own accord should prefer separate confinement during the whole term of their punishment, would evidently consist of the most docile. Many of these, in the prisons of the United States and England, seek to avoid all association with the other convicts, so as to be less easily recognized by them after

their discharge. It is clearly advisable to accede to this request. Selecting separate confinement of *their own accord*, they would be enabled to bear it more easily, and with less danger for their mental health. *Thirdly*, the above mentioned Board of Superintendence might be authorized to designate to the superior administration such convicts as are especially depraved and injurious to the others, and to recommend that they be kept in separate confinement as long after the expiration of the first period as may be advisable. Female convicts should be confined in separate prisons, or at least in separate wings. In England, these are under the superintendence of the Chief Keeper, the Matron, and a number of worthy ladies, which last from time to time, visit the female prison. A similar arrangement might be recommended for Prussia.

A committee of ladies is connected with the "Prison Association of New York," to whose assistance many a female convict is indebted for her return to virtue.

Even in the best prisons it is requisite that members of this Board of Superintendence should occasionally visit the convicts, so as to obviate possible misuses or neglect on the part of the prison officers. Without such supervision, modifications foreign to their original objects, may easily be introduced into any prison. For the disciplinary authority of an officer may be so much the more easily abused, as his patience will be so frequently tested by the convicts. Where this supervision is wanting, the greatest cruelty may be exercised, without coming to the light. The mild discipline and government of the prisons in Philadelphia is to be ascribed more to the benevolent and humane influence of the Quakers, and the Inspectors who think with them, than to separate imprisonment; without this supervision, this system may be easily changed to the most cruel mode of punishment. No system of punishment but requires the most careful conduct and treatment of good Officers, Instructors and Inspectors.

To harmonize the infliction of punishment by separate imprisonment with the criminal code, there should be a legal measure of the relation of separate imprisonment to the modes of punishment hitherto in use. As I have already observed, this measure, founded upon experience in England and practically established there, regards each month of separate imprisonment as equal to *three* months of transportation or other confinement. This measure is there considered, by jurists and the public, as generally just.

The judges may continue to sentence according to the penalties provided in the code; they must, however, be charged so to apply the above measure, as to estimate in long sentences, the first period of 18 months separate imprisonment as equivalent to 4½ years of other confinement. The judges may, accordingly, in their sentences, fix the duration of separate and associated imprisonment, or simply sentence according to the penalties provided in the code. In the latter case, the above mentioned board of superintendence should be empowered to apply the general measure suggested for the continuance of separate imprisonment in each particular case.

In the cases previously suggested in which, *first* prisoners of their own accord prefer separate confinement, or *secondly* those whose influence would be injurious to the others, and therefore remain in separate custody beyond the first period of punishment, a limited abatement only, of the remaining sentence should take place. A greater abbreviation should only occur in the way of pardon; for criminals who are sent back from associated to separate imprisonment, as a punishment, no allowance should be made.

The dread of being removed from associated confinement to the cells, as a penalty for bad conduct will suffice to pursue order and silence, without resorting to the severe corporeal penalties, with which the Auburn or silent system in America is justly reproached. In the female prison at Sing Sing, and in all the English prisons named in the commencement of my report, in which I found the silent system in force; all bodily inflictions as disciplinary punishments are discarded, and instead of such inflictions separate imprisonment for certain days, weeks or months in the cells, of which a sufficient number is provided in each prison, suffices. The silent system in its application in England, has, therefore, acquired a milder character than it had originally in America.

In the punishment of criminals, sentenced to five or six years of confinement, it would be advisable to change the confinement according to the proposed measure for separate imprisonment to two years; and not to allow of associated imprisonment at all. In larger terms of punishment it might be advisable here as in England, after the termination of the first 18 months to continue the separation at night only, and permit associated labor by day. By the proposed alternation of both modes, the punishment itself will acquire such an elasticity in its application, that it will be possible to avoid the doubtful points of the Philadelphia and the Auburn system, and to combine the advantages of each.

*By New York*

The convicts in associated imprisonment, should be carefully classified according to age, health and education, as developed at the trial and in separate confinement. They should labor in small divisions of perhaps 25 men. Horticulture or agriculture should be recommended as the employment in spring, summer and autumn, and mechanical or manufacturing industry only during the winter; and in case these employments were insufficient for the whole number of convicts. In this respect, the successful experiments at Parkhurst in England, and at Metray are very instructive. Agriculture and horticulture separate the workmen more than manufacturing employment, prevents, therefore, more easily all communication—facilitates moral discipline, as is everywhere demonstrated by agricultural people—promotes health, and exerts a particularly favorable influence in scrofulous diseases, which, in separate confinement, are very speedily developed. Fresh air and farming occupations, are in Metray, regarded as the best medicine, and in the best manufactories of England, the effort is now made to induce the workmen to employ their evening hours in horticulture, for the sake of their physical welfare. These facts deserve consideration also, in connection with the present subject.

*By New York*

There are in Germany still many tracts of waste land, which by irrigation or draining, and above all by careful labor, might be rendered productive. As the State has to provide for thousands of convicts, requiring no wages, but cells, coarse clothing and simple diet only, and as the management in Prussia is generally economical, it is to be expected that in this manner, tracts of land might be made productive, whose produce and value would at least equal the labor expended upon them. In this way peaceable conquests might be made, and the general welfare promoted. It might, therefore, be advisable to erect prisons in such districts, with perhaps 300 cells, especially in case new prisons are to be built; or old prisons conveniently situated might be fitted up with cells.

In England extensive tracts have, by irrigation or draining, and this too by free labor, been rendered productive.

A comparatively small number of soldiers would suffice to establish a cordon around the convicts while laboring in the field, so as to prevent escapes. In Sing-Sing 25 men armed with loaded weapons are sufficient to prevent escapes among a thousand convicts or more. This is not so difficult as it would appear to be, for the convicts know that not only these 25 men but every citizen would be

interested to send them back to prison in case any should attempt to escape. Should it be thought necessary to employ a larger military guard, which in our circumstances might be advisable, a few battalions would suffice to watch over the associated bands of convicts employed in different places. In this way the military might render the State a very substantial service, which, however, might be dispensed with in winter when the convicts were employed in their workshops at mechanical or manufacturing labor.

With respect to the latter employments it is known, that in Germany as well as in certain of the United States, the artisans and manufacturers have complained seriously, that the labor of convicts was hired so cheaply by the contractors, they were in a condition in consequence of the greater cheapness of the ware produced in prison to undersell and supplant the free laborer in the market. To afford no ground for this complaint it would be advisable, either, as in the Eastern Penitentiary at Philadelphia, to admit no contractors and to sell the wares at the market price, so that the prison in this respect would stand upon the footing of a manufactory; or, as in the houses of industry at Bremen, to labor for export. By these means the monopoly of the contractors, which classes with the free labor of the mechanic and manufacturer would cease. If no contractor enjoyed the monopoly of the cheaper and uninterrupted labor of the convicts, and if the products of convict labor were sold in open market as other products are, there would be no ground for complaint; for the convicts would have been compelled, had they been at liberty, to labor either in workshops or in the field, in order to earn their support. While unemployed, and obtaining a livelihood by criminal means they have been imprisoned, and if they labor there no one would complain, if their employment by contractors did not disturb the regular course of trade. Where this is not the case such institutions stand upon the footing of manufactories, of which no one complains. That the prisoners should manufacture all the articles needed by the prison, for example the clothing for the prisoners, repairs, &c., I have already set forth in my work before cited. At any rate the complaints referred to, and the difficulty of finding useful and healthy employment for the criminals would be avoided, in case horticulture and agriculture should constitute the predominating pursuits.

Industry and good conduct, should, as in England, be rewarded.



*First*, By compensation from any possible surplus of earnings; which should be deposited in savings banks, to enable the convict at his liberation to embrace some honest employment or to *emigrate*. (The latter is particularly advisable.)

*Secondly*, By recommending the discharged convicts to the prison societies, who should aid them with good council.

The most important consequence of this consists in the fact that the liberated convict who desires to lead an honest and better life, is protected by such a society, and freed from the influence of former fellow convicts. It is well known that discharged convicts often exercise a very injurious influence upon their former companions by threatening to expose them. Many a convict is thus prevented from leading an honest life and incited anew to the commission of crime. This is one of the reasons which led to the introduction of separate confinement in Philadelphia. This reason ceases to be of force, however, as soon as the discharged prisoner is protected by the Prison Association.

The experience of the New York Prison Association affords the gratifying evidence that the greater number of liberated convicts prefer an honest to a dishonest life, in case they are placed under the guardianship of a society of respectable men. This fact is regarded there also as removing one of the weightiest objections to associated imprisonment. Even separate imprisonment, without a similar care, as I have expressed in my former work, page 151, is attended with relapses. In this respect, also, the question depends less upon abstract systems, than upon the manner of their application.

The Prison Association of New York, advises the liberated convicts to acknowledge themselves as such to those by whom they are employed. The Agent of the Society does not withhold the fact that the *protéges* are discharged convicts. The demand for labor is there so great that the Agent is in circumstances to obtain employment for those seeking it. The two following examples may suffice, instead of many others that might be quoted, to show that the open acknowledgment of having been in prison has been advantageous to discharged convicts. A discharged convict in New York conducts a hotel which is patronized by the wealthiest people, and another since his discharge has amassed a respectable fortune as a chemist. Both occupations depend upon the confidence of the public, and this is

bestowed upon individuals whose former crimes (forgery) were as generally known as their business tact.

Those discharged convicts not placed under supervision, and who find employment elsewhere, are at liberty to pursue their own choice.

But if, after care has been taken for the improvement of the discharged convicts in the manner indicated, one should now and then be unwilling to engage in honest labor, and prefer to pursue his old practices instead, subjecting himself repeatedly to imprisonment, he proves himself to be incorrigible and the question arises, what shall be done with such? This inquiry especially concerns the great number of depraved criminals in the United States and Europe, who live by crime; as for example, pick-pockets, burglars, swindlers, forgers, &c. People of this sort are, for the most part, of idle habits, and use every means, therefore, to live without work, and are in fact incorrigible. For repeated crimes of this nature, it seems proper that the law should decree, that the second or third offence should be punished, as in England, with transportation or imprisonment; in both cases for life.

It is the duty of the government to provide for the safety of person and property, and so protect the peaceable citizen from the attacks and injuries of incorrigible criminals. Either society or the criminal must suffer, and justice demands that the guilty should suffer. The incorrigible criminal is unfit for civilized society, and should be excluded from it. The prisons intended for these might be similar to those which serve for the second or associated period of imprisonment, having separate cells to be used at night, and provided with workshops and gardens for associated employment by day. Silence need be maintained, however, only during the hours of labor; in the periods of leisure, the prisoner might converse in the presence of an instructor, or the superintendent; but conversation of an immoral or depraved character should not be allowed. In this manner all unnecessary severity might be avoided, and society secured from incorrigible criminals.

Juvenile offenders under 16 years of age should be sent to prisons especially provided for them. It need hardly be mentioned that the boys and girls should be kept in separate institutions. The management of these should be like that of the boys' prison at Parkhurst, or the institution at Mettray. In the first case the children should be detained only the first month in separate confinement, and in asso-

ciated confinement afterwards. Success will depend chiefly upon the careful selection of officers, instructors and chaplains. The permanent separation of the children, as at La Roquette, is not to be recommended. Even in Pennsylvania, where separate confinement for adult criminals prevails, the children in the House of Detention at Philadelphia, are kept in associated custody by day, and are separated by night only; and the same regulation prevails in all the other prisons for youth in the United States, as at New-York, Boston, &c. The prison La Roquette stands alone, and it is especially noteworthy that even in France, Mettray is adopted as a model instead of it.

Persons who have committed crime while insane, must be sent to mad-houses; the time spent there, however, should be reckoned in the period of punishment. Should this rule be adopted, instances of feigned insanity would not often occur.

The principle by which I have been guided in the preceding propositions has been to investigate carefully what experience has hitherto demonstrated to be expedient, in order to ascertain by its light the improvements adapted to our own country.

By order of the Executive Committee.

JOHN D. RUSS, M. D.,  
Cor. Sec. Pris. Ass'n.

*The Prison Association of New-York in account with Wm. Chauncey,  
Treasurer.*

1849.

Dr.

Dec. 24. To cash paid appropriations to discharged convict committee :

To J. T. Hopper's salary in part, .....	\$274 00
Five qrs. rent of office, .....	234 75
Disbursements at the office, .....	383 47
Paid on acct. paper and printing report, ...	100 00
T. T. Bennett, clerk, wages, .....	288 00
	<hr/>
	1,280 22

To Cash paid appropriation to Female's Home for 3 qrs. rent of Home, .....	337 50
Cash paid Charles Parker on account, commissions for collecting and travelling expenses, \$9.44, .....	361 00
Balance due the Association brought to new acct., ..	113 46
	<hr/>
	\$2,092 18

Cr.

1849.

Jan 1. By balance due Association from old acct. ....	\$170 14
Dec 24. By subscriptions and collections of Charles Parker and others, during the year, .....	22 04
	<hr/>
	2,092 18
	<hr/>
Dec. 24. By balance due Association this day bro't down,	\$113 46

New-York, Dec. 24, 1849.

The above account of the treasurer has been examined, compared with the vouchers, and found correct.

CYRUS CURTISS,  
ISRAEL RUSSELL,  
*Auditing Committee.*

*Honorary Life Members of the Executive Committee by payment of  
\$100 or upwards.*

*City New-York.*

Boorman, James,	Minturn Robert B.,
Brown, James,	Parker, Charles,
Crosby, Wm. B.,	Walker, Joseph,
Delano, Jas. Warren,	Wood, William.

*Troy, N. Y.*

Rev. Wm. Andrews,	Rev. Dr. Beeman,
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*Poughkeepsie, N. Y.*

Rev. H. G. Ludlow.

*Hudson, N. Y.*

Rev. Mr. Darling.

*Meriden, Conn.*

Rev. G. W. Perkins.

*Life Members of the Association, by payment of twenty-five dollars and upwards.*

Alsop, J. W.,	Jones, James J.,
Aspinwall, W. H.,	Jones, Walter R.,
Astor, W. H.,	Langdon, Mrs.,
Barclay, Anthony,	Leeds, Samuel,
Barron, Thomas,	LeRoy, Jacob,
Bartlett, Edwin,	LeRoy, Jacob R.,
Belmont, August,	Leupp, C. M.,
Benzon, E. L.,	Lord, Rufus L.,
Blanco, B.,	Lorrillard, Jr. Peter,
Brevoort, H.,	Low, Cornelius,
Brevoort, J. Carson,	McBride, James,
*Bridge, L. K.,	McCoun, Wm. T.
Bridge, John,	Morgan, E. D.,
Bronson, Mrs. Arthur,	*Murray, Lindley,
Brooks, Sidney,	Morgan, M.,
Broom, S.,	Nevins, R. H.,
Brown, Stewart,	Newell, William,
Bruce, George,	Norrie, A.,
Butler, B. F.,	O'Connor, C.,
Bliss, Ira,	Olyphant, D. W. C.,
Chauncy, Henry,	Outbout, Wm.,
Collins, E. K.,	Parmly, E.,
Curtiss, Cyrus,	Pell, F.,
Daly, Charles P.,	Phalon, J.,
DeRham, H. C.,	Ray, Robert,
Douglass, Wm.,	Rhineland, Wm. C.,
Duer, John,	Robert, C. R.,
Edmonds, John W.,	Roosevelt, C. V. S.,
Engs, P. W.,	Ruggles, S. B.,
Field, R. H.,	Russell, Israel,
Field, H. W.,	Sampson, Joseph,
Fish, Hamilton,	Sands, David,
Foster, Jr. James,	Schermerhorn, Peter,
Freeland, J.,	Selden, Dudley,

1849

Furniss, W. P.,	Sherman, Austin,
Garner, F.,	Spencer, Wm. A.,
Graham, J. B.,	Spencer, Mrs. Wm. A.,
Gregory, D. S.,	Sturges, Jonathan,
Green, J. C.,	Talbot, Charles N.,
Grinnell, Henry,	Titus, James H.,
Grosvenor, Jasper,	Vannest, Abraham,
Halsted, Wm. M.,	Vannostrand, James,
Hedges, Timothy,	Vanrensselaer, P. S.,
Herrick, J. E.,	Wetwore, P. M.,
Herrick, S. C.,	White, Eli,
Howland, G. G.,	Whiting, James R.,
Howland, S. S.,	Whitney, Stephen,
Howland, Edgar W.,	Wilmerding, Wm. E.,
Hunt, Thomas,	Winthrop, B. R.,
Irvin, Richard,	Wolfe, Jno. D.,
Johnston, John,	Woolsey, E. J.

*Salisbury, Hrrkimer Co., N. Y.*

Burrell, H.

*Brooklyn, L. I.*

Packer, Wm. S.

*Poughkeepsie, N. Y.*

Vassar, M.

*Waterbury, Conn.*

Rev. J. S. Clark,

Rev. Mr. Elliott.

*Meriden, Conn.*

Rev. Mr. Searles.

*List of Subscriptions and Donations, from 1st January, 1849, to 24th  
December, 1849.*

Abeel, J. H., .....	\$10 00
Allen J., .....	5 00
Alsop J. W., .....	25 00
Barclay A., .....	10 00
Barron T., .....	25 00
Bartlett Edwin, .....	25 00
Bird G., .....	10 00
Blanco R., .....	25 00
B. & Chun, .....	5 00
Bridge Jno., .....	10 00
Bronson Maria, .....	10 00
Brown James, .....	50 00
Brown G. W., .....	5 00
Brown Stewart, .....	20 00
Bruce George, .....	25 00
Buck W. J., & J. Blunt, .....	5 00
Butler B. F., .....	10 00
Caldwell E., .....	5 00
C. N. F., .....	5 00
Cary & Co., .....	5 00
Cash, .....	25 00
do .....	20 00
do .....	10 00
do .....	10 00
do .....	5 00
do .....	5 00
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Cash, .....	5 00
do .....	5 00
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do .....	5 00
do .....	5 00
do .....	5 00
do .....	5 00
do .....	3 00
do .....	2 00
do .....	2 00
do .....	2 00
do .....	1 00
do .....	1 00
do .....	1 00
do C. B., .....	5 00
do S. B., .....	5 00
Camman O. J., .....	5 00
Caswell J., .....	10 00
Chauncey H., .....	25 00
Churchill Wetmore, .....	5 00
Clark Wilson, .....	5 00
Coit H. H., .....	5 00
Colles J., .....	10 00
Crowen J., .....	10 00
Davis Wm. A., .....	10 00
Dawson B. F., .....	10 00
Deitz, Bros. & Co., .....	5 00
Denny T., .....	5 00
Delano F. A., .....	10 00
Delmonico, .....	5 00
Dibblee & Co. H. E., .....	5 00
Doubleday W. E., .....	3 00
E. P. S., .....	5 00
Earle Porter, .....	5 00
Eddie J., .....	1 14
Ely C., .....	5 00
Foster, James Jr., .....	10 00

Fox R. R.,	5 00
Gebhard H.,	5 00
Gihon John,	20 00
Gordon & Talbot,	5 00
Grant & Barton,	5 00
Gray W. G.,	5 00
Greely Horace,	10 00
Greenway & Co.,	5 00
Griffith W. S.,	5 05
Griswold John,	5 00
H. & A.,	50 00
H. G.,	5 00
Haggerty O.,	10 00
Hall P.,	5 00
Halleck G.,	5 00
Harrison M.,	3 00
Harnden & Co.,	10 00
Hart Mrs.,	1 00
Hendricks & Bros.,	5 00
Hendricks Mrs.,	5 00
Hendricks & Bros.,	10 00
Herring S. C.,	5 00
How B. W.,	5 00
Howard J. & Son,	5 00
Hitchcock C.,	5 00
Hubbard A.,	5 00
Hunter J.,	5 00
Hunt Wm. G.,	5 00
Hussey G. F.,	10 00
Irvin Richard,	10 00
I. W. D.,	5 00
Johnson B.,	10 00
James Walter R.,	25 00
Kemble Wm.,	10 00
Knapp Shepard,	5 00
Koop Fischer, & Co.,	10 00
Langley W. C.,	5 00
Lathrop F. J. D.,	5 00
Leupp C. M.,	25 00

Lewis S. W.,	5 00
Leggett F. H.,	10 00
Livingston M. W.,	5 00
Long & Davenport,	5 00
Lord Rufus L.,	25 00
Low Cornelius,	25 00
Low A. & A.,	15 00
McCardy A. S.,	10 00
Manning R. H.,	5 00
Mandeville Wm.,	2 00
Montgomery J. Jas.,	5 00
Morgan M.,	20 00
Miller P. D.,	1 00
Nevins R. H.,	25 00
Noel & Decoury,	5 00
Oelrich & Kruker,	5 00
Olcott & M. Kesson,	5 00
Palmer Jno. J.,	20 00
Parmly, J.,	5 00
Pell A.,	5 00
Perkins D.,	5 00
Phelps Dodge & Co.,	25 00
Phelps Jno. J.,	5 00
Powell M. M.,	5 00
Ray Robert,	25 00
Rich, J.,	5 00
Rodgers C. H.,	5 00
Rosevelt C. V. S.,	5 00
Russell C. H.,	5 00
Sands A. B. & D.,	10 00
Sanford Co.,	10 00
Saltus F.,	5 00
Sampson J.,	25 00
Sanderson E. P.,	5 00
Schieffelin A. B. & S. A.,	10 00
Schieffelin Co.,	5 00
Schieffelin U. M.,	5 00
Schlessinger P.,	5 00
Schuchardt F.,	5 00
Sedgwick Th.,	5 00

PAGINATION  
INCORRECT

Sheldon Henry, .....	20 00
Sherman Collins, .....	10 00
Smith Wm., .....	2 00
Spencer G. G., .....	5 00
Studin E., .....	5 00
Sturges E., .....	5 00
Sturges Jona., .....	25 00
Suarez L. J., .....	10 00
Swift Hurlbut, .....	5 00
Talbot C. N., .....	25 00
Townsend S. & Co., .....	5 00
Tracy Irvin & Co., .....	10 00
Trenor J., .....	5 00
Tweedy E., .....	10 00
Tweedy O. B., .....	10 00
Van Rensselaer P. S., .....	50 00
Walker Joseph, .....	100 00
Walsh Mallory, & Co., .....	10 00
Ward A. H., .....	10 00
Warren J., .....	5 00
Wetmore O. & A., .....	3 00
W. C. N., .....	10 00
Whiting A., .....	5 00
Wright, Sturgis & Shaw, .....	25 00
Wilbur & Scott, .....	10 00
Willetts S., .....	5 00
Wilson D. M. & Co., .....	25 00
Winslow R. H., .....	10 00
Wood Wm., .....	10 00
Woolf & Gillespie, .....	10 00
Woolsey E. J., .....	50 00
Zimmerman Z., .....	5 00

*Collections in Troy, New York.*

Bills A., .....	\$ 1 00
Cash, .....	3 00
Hart Philip, .....	10 00
McCoun Mrs., .....	1 00

Carried forward, ..... \$

Brought forward, .....	\$
Marshall B., .....	5 00
Sage Wm. F., .....	3 00
Slocum H., .....	5 00
Vail Mr., .....	2 00
Willard E., .....	5 00
Wiswall E., .....	3 00
	<hr/>
	\$38 00
	<hr/>

*Ditto in Poughkeepsie.*

Bartlett & Co., .....	\$10 00
Cash, .....	3 00
Ditto, .....	2 00
Crosby Mr., .....	3 00
Emmot Jas., .....	5 00
Morse S. F. B., .....	10 00
Sterling Wm. C., .....	5 00
	<hr/>
	\$38 00
	<hr/>

*Ditto in Albany.*

Prentiss J. H., .....	5 00
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*Ditto in Waterbury, Connecticut.*

Benedict Aaron, .....	5 00
Hotchkiss J., .....	5 00
	<hr/>
	\$10 00
	<hr/>

*Ditto in Meriden Connecticut.*

Curtiss H., .....	\$3 00
Parker Charles, .....	10 00
Webb Walter, .....	10 00
Yale John, .....	5 00
	<hr/>
	\$28 00
	<hr/>

*The Yearly Report of the Female Department of the Prison Association, from Jan. 1, 1849, to Jan. 1, 1850.*

*Expenditures, 1849.*

Provisions and fuel, .....	\$1281 53
Working materials, .....	28 41
Dry goods, .....	279 36
Travelling expenses, .....	61 74
Household articles, .....	168 02
Stationery, &c., .....	2 10
Postage, .....	4 29
Medicine, .....	9 39
Sewing, .....	38 65
Commissions for collecting, .....	188 25
Wages, .....	16 43
Salaries, .....	347 25
Mr. Bennett, for services, .....	10 50
Printing, .....	64 00
Treasurer, .....	100 00
Fête, .....	50 00
Steamboat, Capt. Smith, .....	20 00
Advertising, .....	3 50
Rent, .....	188 50
Moving goods, .....	2 00
First entertainment at the Tabernacle, .....	77 25
Second do .....	72 74
Water tax, .....	12 00
Steamboat, .....	126 07
Lodging, .....	00 13
Appropriation towards the erection of a house, .....	470 00

\$3622 11

25 53

To balance to new account, .....

3647 64

1849

*Receipts, 1849.*

Subscriptions, .....	\$106 00
Donations, .....	2566 87
Work, .....	483 86
Tickets for concert, .....	28 00
Money returned by inmates, .....	16 58
Board, .....	10 00
First entertainment at the Tabernacle, .....	153 25
Second do .....	122 49
Sale of articles, steamboat fare, &c., .....	126 06
Money loaned by Mr. Beatty, .....	13 00
Cotton bags and paper, .....	00 35
Money returned by J. T. Hopper, .....	14 18
Mr. Wm. Bennett, travelling expenses for an inmate, .....	3 00
Balance from last year, .....	4 00

\$3647 64

*Donations in Cash.*

Corporation of the city of New-York, .....	\$500 00
Mrs. Frances Ann Kemble, .....	250 00
The Female Association, .....	120 00
Jas. G. King & Sons, .....	50 00
Mr. Jas. Walker, .....	25 00
Mr. C. Cameron, .....	25 00
Hopkins & Western, .....	25 00
Cash, .....	25 00
Mrs. Jas. Brown, .....	25 00
Mr. Robert Ray, .....	25 00
Mr. B. Blanco, .....	25 00
M. Bard & Son, .....	20 00
Miss Jay, .....	20 00
Mrs. Mary Bronson, .....	15 00
Mr. P. Cooper, .....	10 00
Cameron & Brand, .....	10 00
Mr. Wm. Watt, .....	10 00



Mr. J. Gihon, .....	10 00
Mrs. Banyer, .....	10 00
Boiceau & Busch, .....	10 00
J. & J. Stewart, .....	10 00
Mrs. C. E. Colgate, .....	10 00
Mrs. Geo. Colgate, .....	10 00
Mr. Elihu Townsend, .....	10 00
Mr. Gerard Stuyvesant, .....	10 00
Mr. Benj'n Flanders, .....	10 00
Mr. Silas C. Herring, .....	10 00
M. R. Jeffries & Sons, .....	10 00
Mr. C. H. Shipman, .....	10 00
Mr. Wm. Hoyt, .....	10 00
A. H. B., .....	10 00
Tracey & Irwin, .....	10 00
Mr. Chas. Marshall, .....	10 00
Patton & Stewart, .....	10 00
Mr. Chas. D. Hazen, .....	10 00
Mr. S. J. Beebe, .....	10 00
W. B. & Co., .....	10 00
Mr. Jas. Brower, .....	10 00
Mr. J. H. Leroy, .....	10 00
Mr. J. W. Alsop, .....	10 00
Mr. A. Barclay, .....	10 00
Mr. Wm. Woods, .....	10 00
Mr. H. W. Johnston, .....	10 00
Mr. G. B. Lamar, .....	10 00
Cammon & Whitehouse, .....	10 00
Cash, .....	10 00
Cash, .....	10 00
R. M. Blackwell & Co., .....	10 00
Cash, .....	8 00
Mr. Wm. Halsey, .....	5 00
Mr. John Halsey, .....	5 00
Beals, Busch & Co., .....	5 00
Mr. Wm. Outhout, .....	5 00
Cash, .....	5 00
Cash, .....	5 00
J. M. & C. Oppenheim, .....	5 00
Mr. J. Hyeth, .....	5 00

Cash, .....	5 00
Mr. J. L. Sheiffollin, .....	5 00
Mr. Fred. A. Delano, .....	5 00
A. S., .....	5 00
Mrs. Guston, .....	5 00
Mr. Francis Griffin, .....	5 00
Mrs. Eliza Morgan, .....	5 00
Mr. A. T. Hicks, .....	5 00
H. G. C., .....	5 00
Mr. Wm. Burger, .....	5 00
Mr. Augustus Belknap, .....	5 00
Mr. G. Henry Fox, .....	5 00
Stamford Manufacturing Co., .....	5 00
Mrs. Bell, .....	5 00
Mrs. Chas. E. Quincy, .....	5 00
Lord, Warren & Salter, .....	5 00
Mr. E. Tweedy, .....	5 00
Mr. F. H. Stevens, .....	5 00
Mr. H. Johnson, .....	5 00
Mr. Alex. Megary, .....	5 00
Mr. Wm. R. Janeway, .....	5 00
Taylor & Merrill, .....	5 00
Mr. U. A. Levy, .....	5 00
Mr. Bartholomew, .....	5 00
Mr. Josiah Rich, .....	5 00
John M. Bruce & Sons, .....	5 00
Mr. Geo. H. Grannis, .....	5 00
Mr. Bishop, .....	5 00
Mr. W. A. Gale, .....	5 00
Mr. John Nickerson, .....	5 00
E. F. Cook & Co., .....	5 00
Mr. W. G. Hunt, .....	5 00
T. L., .....	5 00
Mr. A. Journey, Jr., .....	5 00
Lewis Atterbury & Co., .....	5 00
Shepherd, Wright & Co., .....	5 00
Groydon, Swanwick & Co., .....	5 00
Mr. D. Trimble, .....	5 00

T. Putnam & Co.,	5 00
Spier Christ & Co.,	5 00
Mr. Andrew Muir,	5 00
Mr. D. Lane,	5 00
Mr. Rich'd Bigelow,	5 00
Cash,	5 00
Mr. F. C. Tucker,	5 00
Mr. Shepherd Knapp,	5 00
Mr. August Belmont,	5 00
Mr. N. G. Rutgers,	5 00
Cash,	5 00
Cash,	5 00
Cash,	5 00
Mr. J. Van Buren,	5 00
Mr. Aziah Wright,	5 00
Mr. F. Rawdon,	5 00
Mr. J. F. Butterworth,	5 00
Mr. F. Griffin,	5 00
Mr. H. Morgan,	5 00
Mr. W. Bloodgood,	5 00
Mr. Aden Smith,	5 00
Mr. C. N. Fearing,	5 00
Cash,	5 00
J. T.,	5 00
Mr. W. D. Cogswell,	5 00
Mr. Thos. R. Foster,	5 00
Cash,	5 00
Cash,	5 00
Mr. Casey,	5 00
Mr. E. W. Stoughton,	5 00
Mr. Chas. G. Moore,	5 00
Mr. Ezra White,	5 00
Cash,	5 00
J. B. S.,	5 00
J. A. Schaffelin,	5 00
Mr. Theodore Sedgwick,	5 00
Tibets & Nots,	5 00
S. & E. Decoppit,	5 00
J. S. R.,	5 00

Mr. N. L. Ritch,	5 00
Mr. J. B. Graham,	5 00
Cash,	5 00
S. C.,	5 00
Mr. B. Whitlock,	5 00
Mr. W. W. Todd,	5 00
Gross & March,	5 00
Harper & Co.,	5 00
Mr. M. Wheeler,	5 00
Mr. W. S. Lake,	5 00
Cash,	5 00
Mr. S. Burkhalter,	4 00
Miss Colegate,	3 00
Cash,	3 00
Cash,	3 00
Mrs. George Folsom,	3 00
Mr. P. V. W. Martin,	3 00
Mr. O. C. Hay,	3 00
Mr. Wm. Hooker,	3 00
Mr. A. Witman,	3 00
Cash,	3 00
Cash,	3 00
B. H. F.,	3 00
Mr. Chas. Burkhalter,	2 50
Mr. R. Burkhalter,	2 00
C. & W. Clarke,	2 00
Cash,	2 00
Dr. Mourealle,	2 00
Cash,	2 00
Cash,	2 00
Mr. W. Lintz,	2 00
Cash,	2 00
Cash,	2 00
Cash,	2 00
Cash,	2 00
Cash,	2 00
Cash,	2 00
T. Smith & Co.,	2 00
Mr. John Niles,	2 00
Mr. Andrew Ross,	2 00



Taylor & Son, .....	\$3 00
Mr. Geo Elder, .....	2 00
Mr. V. LeCompt, .....	1 00
Mr. Agate, .....	1 00
Mr. Wm. H. Babbett, .....	3 00
A Lady, .....	10 00
Mr. Jas. Tanain, .....	5 00
R. S. & A. Stewart, .....	10 00
Mr. Marcus Spring, .....	10 00
Mr. A. G. Phelps, .....	10 00
Dr. A. Sherman, .....	10 00
Various persons, .....	8 00
Mr. Piercy, .....	5 00

## BY MR. J. T. HOPPER.

Mr. Wm. J. Haskell, .....	10 00
Mr. Richard J. Smith, .....	5 00
Mr. Jas. H. Titus, .....	3 50
A Friend, .....	8 12

## BY MRS. GIBBONS.

A Friend, .....	2 00
Mr. Seth Thomas, of Plymouth Hollow, Conn., .....	2 00
A Gentleman, .....	5 00
Mrs. Poultney, .....	1 00
Mr. Simeon Draper, .....	10 00
Mr. Jas. H. Titus, .....	5 00
Mrs. Prime, .....	5 00
Mr. Pinckney, .....	2 00
Mrs. Sackett, .....	2 00
An unknown friend, .....	0 50

## BY MRS. KIRKLAND:

Mrs. Steele, .....	5 00
A Friend, .....	5 00
Cash, .....	1 00
Mr. C. S. Francis, .....	5 00
Mr. John Thomas, .....	10 00
Mr. Geo. Ireland, Jr., .....	5 00
Mr. Nath. Currier, .....	10 00
Mr. Moses H. Grinnel, .....	10 00

## BY ONE OF THE COMMITTEE:

Miss Hinckley, .....	\$5 00
Cash, .....	2 00
A Friend, by Mrs. Russell, .....	5 00
An unknown friend, .....	5 00
Mr. Sturgess, .....	25 00

## BY MISS CURTIS:

Mr. P. Cooper, .....	10 00
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## BY MRS. EDGAR HICKS:

A Friend, .....	1 00
Two Friends, .....	4 00
Mr. Cornel, .....	2 00

## MISS M. S. UNDERHILL:

Mr. Daniel Trimble, .....	10 00
H., .....	3 00
Miss Mary Hill, .....	1 00
Mrs. Hall, .....	2 00

## BY MISS MANNING:

Mrs. Ropes, .....	10 00
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## BY MRS. DOREMUS:

Mrs. E. S. Gould, .....	5 00
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## BY MR. R. SEDGWICK:

Several friends, .....	9 50
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## BY DR. PARMLEY:

Miss Vanhorn, .....	5 00
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## BY MRS. F. HUNT:

—, .....	1 50
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*Donations in Goods.*

## BY MRS. JAS. BEATTY:

Mr. H. H. Day, 25 pairs of India rubber shoes; Mr. Jas. Wiggins, 20 pairs shoes; Dr. Comstock, \$3 worth of medicine; Suydam, Sage & Co., 1 bbl. of flour; Nelson, Webb & Co., 2 bbls. of fish; W. & G. Oakley, 1 bag of meal; Mr. Titus, bbl. crackers; Mr. Mabbett, 1 piece calico; Harris & Ockerhausen, 120 weight sugar.

## BY MRS. KIRKLAND:

Twenty-five dollars worth of clothing, from a Friend.

## BY M. S. UNDERHILL:

Mary Hill, 20 boxes hooks and eyes, 1 gross pearl buttons, 1 box needles, 5 combs, 10 pieces of tape, 65 skeins sewing silk, and sundry small articles.

By SUSAN B. DAY.

—, 1 doz. hair brushes and half doz. combs; — groceries; stationery from S. W. & W. Wood.

By MRS. E. HICKS.

Mr. Benjn. T. Seaver, one piece calico, 54 $\frac{3}{4}$  yards.

By MRS. EMERY:

Mr. Augustus Graham, ten dollars' worth dry goods; stationery, by Mr. Hugh Dunn; 12 iron bedsteads, worth \$100, from Augustus Graham.

By MRS. JAS. GIBBONS:

D. Blatchford, a little boy 9 years of age, a paper of candy; Mr. Jas. Thompson, basket of cake; Mrs. Hall, 1 cheese and box of candy; Mr. Ephraim Treadwell, 1 box crackers; Mr. Dunlap, splendid bouquets; Mr. Edgar Hicks, baskets of magnificent flowers; the Misses Salters, flowers and candy; Mr. Dennis Harris, 1 bbl. sugar; Mr. Treadwell, 1 box crackers; Mr. Heustace, 1 box crackers.

A mangle, from Dr. Russ; half a firkin cooking butter, from Mrs. Trimble; household furniture and crockery, from Mary Day; a bundle of clothing, from an unknown friend; stationery, from J. M. & W. Wood; fancy articles, through Mrs. Russell.

*Subscribers.*

Mrs. Jas. Beatty,.....	\$2 00
Mrs. A. Gibbons,.....	2 00
Mrs. Dill,.....	2 00
Mrs. Knight,.....	2 00
Mrs. Hicks,.....	4 00
Mrs. Bord,.....	2 00
Mrs. Cornell,.....	2 00
Mrs. Smith,.....	2 00
Mrs. Geo. W. Halsted,.....	1 00
Miss E. A. Maver,.....	2 00
Miss C. M. Sedgwick,.....	3 00
Miss M. S. Underhill,.....	2 00
Mrs. Manning,.....	2 00
Mrs. C. P. Clinch,.....	2 00
Mrs. Abbot Low,.....	3 00
Miss Foster, (matron at the Tombs,).....	2 00

Mrs. Day,.....	\$3 00
Miss Susan Day,.....	2 00
Miss Hannah Uunderhill,.....	2 00
Mrs. Wood,.....	2 00
Miss Hinckley,.....	2 00
Mrs. Wm. Sturges,.....	2 00
Miss Jane Sedgwick,.....	2 00
Mrs. Alfred Hall,.....	2 00
Mrs. John Thomas,.....	4 00
Miss Thomas,.....	2 00
Mrs. Ogden Haggerty,.....	5 00
Mrs. Marburg,.....	2 00
Mrs. Fitch,.....	2 00
Mrs. J. B. Graham,.....	5 00
Mr. H. H. Carey,.....	3 00
Mr. Talmadge,.....	5 00
Miss Blunt,.....	2 00
Miss Hinckley,.....	2 00
Mrs. H. W. Haydock,.....	5 00
Mrs. F. Hunt,.....	5 00
Mr. F. Hunt,.....	5 00
Mrs. Margaret Corlies,.....	5 00

*Life Subscribers.*

Mrs. David Codwise,.....	\$10 00
Mrs. Douglas Cruger,.....	10 00
Mrs. James Emery,.....	10 00
Mrs. Chas. E. Butler,.....	10 00
Mrs. Jas. Beatty,.....	10 00

## APPENDIX.

TO THE COMMITTEE ON PRISON DISCIPLINE, NEW YORK PRISON  
ASSOCIATION.

Gentlemen:—The experiments which the two prominent systems of Prison Discipline have been undergoing for the last twenty years, have not as yet resulted in any definite and very decided conclusions in favor of either. Recently, by its adoption in France, England, and some other European countries, the Separate System seemed to have obtained a decided preference, and to have become the cherished system of those countries; but scarcely is it introduced before we find some of its warmest friends and admirers, those who were largely influential in its introduction, proposing to limit its duration to short periods of confinement, so that all sentences over eighteen months must be worked out in a congregate prison or in transportation. This is the position England now occupies, and her prisoners sentenced to transportation are first subjected to a year or eighteen months imprisonment in a Separate prison, and from thence transferred to an Associate prison, to labor on the public works for a period proportioned to their sentence, ranging from two to ten and a half years, and thence sent with a ticket of leave to one of Her Majesty's penal colonies. While, however, the Separatists are still undecided as to the enforcement of isolation for protracted periods, we find one of the warmest advocates of the Congregate or Auburn system, Prof. Telkampf, in his recent report to the King of Prussia, advocating the introduction of Separation for limited periods—thus we find the advocates of the opposing systems approximating in their views. This movement on either side we believe is confined to but few individuals, and the confidence of either party in the superiority of their system, seems not on the whole to be a whit abated. There are undoubtedly defects in both which need to be corrected—defects not only in the systems themselves but in the manner of their admi-

nistration. The Separate system has been perhaps justly charged as productive of a large amount of insanity and an increased mortality; but the development of insanity in prison is by no means confined to Separation, as a minute examination of most of our Congregate prisons will most unequivocally develop, and if the convicts discharged from Congregate prisons generally are in no better condition than those that this Association is in the habit of seeing and assisting, they cannot have much superiority to boast of in point of health. Nor do the statistics of our prisons justify a more favorable opinion; if we select the Congregate prison of the highest health and compare it with the Separate of the lowest, we may indeed find that the Congregate promises the longest life—but if we compare Sing Sing with the Eastern Penitentiary for a series of years, we have the following results: The deaths in Sing Sing to the whole number of prisoners during a term of thirty years, has been as 1 in 8.09; the deaths in the Eastern Penitentiary, during a term of twenty-one years, has been as 1 in 10.46; and lest it should be urged that the difference is fully accounted for by the greater number of pardons in the one prison than in the other, it should be stated that in Sing Sing 1 in 4.34 were pardoned, and in the Eastern Penitentiary 1 in 7.21, during the same periods. Instituting similar comparisons between the New Jersey and Maryland or the Western and Virginia Penitentiaries, we shall find them equally favorable to the Separate system. Results like these seem satisfactorily to demonstrate that the Separate system is not of that decimating character which it has been represented—nevertheless, the advocates of the system acknowledge that it yet has defects, which are to be remedied, and we know from absolute examination and enquiry that this is the case with the Auburn system.

Two prominent defects are apparent in this system, one dependant on architectural construction, and the other on the management and discipline. The architectural defects are most apparent in the size and construction of the cells and in the manner of heating and ventilating them; these are so obnoxious to the rules of hygiene that it is even unaccountable that they should have been suffered to exist for so many years in their present state, without having more particularly claimed the attention of the legislator or philanthropist. The fact presented by Dr. Dimond, physician to the Auburn prison, in 1843, that for the last twenty-six years the extraordinary proportion of one half of the prisoners in that prison had died from diseases of the lungs, and the disproportionate mortality which almost everywhere exists between prisoners and persons of similar ages at

liberty, leave no doubt in regard to the deleterious physical influences which this system exerts; nor can we read Dr. Dimond's account of the prison as it actually exists, without a shudder at the thought of the amount of disease and death which it must engender. The fact, says Dr. D., that there is more phthisis among those confined on the 4th and 5th galleries than on the lower ones seems conclusive on this point, i. e., that it is occasioned by defective ventilation. "The air on the 5th gallery during Sundays and in the morning of the short days of the year, becomes very offensive notwithstanding the use of *all safe means of ventilation*," and this prison is a type of that entire class, and its defects are more or less common to them all. Intimately connected with, and perhaps in some degree consequent upon the defects of architecture, are the defects of prison government and discipline. The great catholicism that has ever been looked to for the cure of the evils of congregate imprisonment, is classification; but we believe there is not a prison constructed with a view to such an end, and in all of them the attempt even would prove unsatisfactory, if it should not be impracticable; nevertheless to doubt its importance would be to question the deliberate opinion of the most distinguished among the advocates of the congregate system, and to deny its reformatory power, would be like knocking the last prop from a system which has now been sustained in this state for over thirty years; nor are we disposed to question its propriety or deny its efficacy if considered and discreetly administered; but we most unhesitatingly affirm that little good can be expected even from this great panacea while our prisons are constructed as at present. The separate system has also defects both administrative and architectural, defects acknowledged by the friends of the system. So imperfectly do either of these systems at present answer the great ends of mind preserving, health saving, reformatory institutions, that a person, not wedded to any particular theory may justly doubt the great superiority or perfection of either.

In fact, the contest which has been so long waged between these opposing systems, seems to draw no nearer a conclusion than it did some years since. There seems, indeed, to be a fundamental difficulty in the way, which can only be satisfactorily removed by combining the two under one administration. Such a measure would afford us an opportunity of testing the comparative merits of each system under the same latitude, and as nearly as possible under similar circumstances. No comparison between them in this respect can be perfectly satisfactory unless made in the same location. The effects even of a change of but a few rods may, under certain circumstances,

give an entirely different character to the health of an Institution; but when this change is measured by degrees, and all the surrounding influences are altered, it is next to impossible to form even a plausible opinion in regard to the health-saving influences of the two systems thus compared. Nor is the health of the prison alone dependant on location; it is also greatly, if not equally, affected by administration—thus the Charlestown prison, under the management of Mr. Robinson, has changed from one of ordinary to one of an extraordinary character in this respect, and the Eastern Penitentiary has improved astonishingly under the medical care of Dr. Givins. Another matter influencing the health of a prison, and depending on locality, is the character of its population, in regard to not only color, but sex and moral condition. It seems necessary, therefore, to bring all these different influences to bear in the same manner in the same degree on the two systems, before we can arrive at any definite results in regard to their operation. To do this they must be operating in the same locality under the same supervision. This can only be accomplished by a union of the two systems in the same prison. But we have already shown, that that the present structure of our prisons is exceedingly imperfect, and that they are but miserably qualified to carry out the systems for which they were designed. To afford, then, an opportunity to test the advantages of the two systems in juxtaposition, we must have, in the first place, new laws, and in the second, new buildings—buildings specially designed and adapted to the double purpose. First, then, our laws should be so modified as to enable us to inflict Separate punishment for longer or shorter periods, according to the circumstances of each case. In an improved prison, where classification is attempted, and where there are facilities for carrying it out to a minute degree, Separate imprisonment for a period immediately after reception, long enough to enable the keeper to acquire a knowledge of the character and degree of guilt and moral debasement of the individual, seems to be a sine qua non—whether Separate confinement should even be extended beyond this period, which will probably vary from three to six months, is a matter about which there may be a greater diversity of opinion. As an individual, however, I have no hesitation in stating it as my opinion, formed after deliberate investigation and examination, that Separate confinement should be introduced and rigidly enforced in all our houses of detention, and that in our State Penitentiaries it should be applied to all first sentences of moderate duration.

In our own State, however, the shortest sentences to the State penitentiary are at present too long for the operation of such a rule,

and certainly longer than in a majority of first convictions seems necessary or even expedient, for procuring the most salutary results of punishment. Moral guilt has so little to do with criminal prosecutions, that we find scattered over the community many persons wearing the garb and bearing the aspect of gentlemen, with hearts of felons; while in our prisons we often find men with the brand of felony stamped upon their foreheads, with moral perceptions far less obtuse and much more worthy of our esteem and consideration. The example of the one has perhaps caused the delinquency of the other, and discovered in their first transgression, they have been hurried to a prison, and in due process of law, convicted. The hope of such, in the majority of instances, is in separation from the abandoned inmates of our prisons. Place them for a short time alone, where they can reflect, be advised, form habits of industry, make firm resolves, see the futility as well as the enormity of crime, and be unobserved, and consequently unknown to their fellows, and the chance is ten fold for their reformation. Throw them, on the other hand, in congregated masses, into our county jails and State penitentiaries, where the eye of the community is upon them; where every inmate marks them as a prison acquaintance; where they are surrounded and beset by bold faced villany; where God is unknown or disregarded, and religion is a jest; where the air resounds with blasphemy, and the mouth is filled with obscenity; where the deepest laid and most successful scheme of villany is esteemed the highest morality, and where claims to respect are measured by the accomplishments of a Sheppard or a Turpin, and it will be but a few days, at most weeks, before the first misgivings for crime are drowned in the sewer of corruption into which they are thrust. At first they are disgusted, horror stricken, perhaps, with the depravity by which they are surrounded; but familiarity with crime, makes one accustomed to its lineaments; every day sweeps some disgusting line away, until its deformity is no longer observed. This effected, the ennu of prison life solicits acquaintance; the first advances are timidly accepted; day after day strengthens the alliance, until what was commenced as pastime is continued for pleasure, and thus deserted by the good, with infamy on his brow, the convict yields himself up a voluntary sacrifice to the influences which surround him. Under such circumstances are we fulfilling our duty to the convict, to society, or ourselves, to condemn him for a first offence to an association where it is almost certain that he will be corrupted. Nothing, surely, but an inevitable and greatly increased tendency to produce insanity, disease and death, will justify such a measure. For short periods of confinement, under favorable circumstances, this does, not from the



most authentic records of such cases, appear to be the fact with the separate system.

For these and similar reasons, I am decidedly in favor of engraving upon our prison system separate confinement for all first sentences of short duration, and I think our law in respect to first sentences should be so modified as to shorten the terms rather more than one half, say  $\frac{1}{2}$ , and to condemn to separate confinement for first sentences whenever the term so shortened does not exceed eighteen months. The introduction of the separate system thus modified and mollified, we think is urgently demanded for the reformation of the criminal and the protection of society. Its continuance for the period indicated, under favorable circumstances will have no injurious effect upon the mind or the health, and the great objects of prison discipline be more certainly attained. More protracted periods of separation might, and perhaps do affect both, or if not we believe that we have retained the most essential feature in the system of separation, and shall be enabled to engraft upon it many of the advantages of the congregate without doing violence to the system itself. It is a well established fact, and one that should never be lost sight of, that congregate prisons are more productive than separate, and we therefore propose that all those sentenced for life, and those on second and third sentences, or for protracted terms of confinement, should be subjected to separate confinement for a period from three to six months, and then placed in such class in congregate confinement as they may appear fitted to occupy.

To enable us to carry out the improvements in both systems which experience suggests as necessary, as well as to compare with greater certainty the practical results of their workings, we propose that hereafter prisons should be so constructed as to enable the two systems to be carried into operation side by side under the same government and medical supervision, surrounded by the same influences of air and temperature, sun and shade, warming and ventilating, &c. &c. For this purpose we propose that our prisons should in future be constructed on the radiating plan so that each wing shall diverge from and open into a common centre, which, if kept in view in regulating the internal construction of the building, becomes a point of observation, commanding a view of the whole, and from which access in all directions is afforded. The wings may vary in number from two to six—five perhaps would be a better limit, and may be constructed from two to four stories high, never exceeding four of

falling below two, except in cases when two stories to the prison are not likely to be needed in many years.

These wings shall in part be adapted to separate and in part to congregate government, excepting in houses of detention where entire separation is in our opinion, alone admissible. The entire building besides serving as a point of access and observatory should provide accommodations underneath for a kitchen, and overhead for a hospital. The ground underneath the central building should be deeply excavated, and such excavation should extend to a considerable distance over the adjoining grounds and adjacent to each wing, to give air and light to the basement. The arrangements for the basement of the prison should be such as to provide bath-rooms, cleansing-rooms, store-rooms, &c., as well as the most ample accommodations for cooking, and the easiest method of distributing the food to the different portions of the prison in which it is required. The kitchen should be immediately connected with the store-rooms, bathing and reception cells, wash room, clothes room, drying rooms, coal bins, heating apparatus, &c. &c., so as to economize the labor and fuel of the establishment. The wings are to be constructed so as to permit a general inspection and supervision of the whole building from one point, embracing not only the cells but the dining hall, work-shops and perhaps chapel; for this purpose, on each side of each corridor near the central observatory, tables and seats are to be provided for feeding the prisoners, beyond these are the cells opening inwards towards a central hall; and in the congregate portion of the prison beyond\* the cells, the work shops are placed. The cells are to be made sufficiently large to admit of separate confinement if it should be deemed advisable to introduce it now, or to fall back on it at some future period, and by a division when it becomes necessary, effected by the means of corrugated iron plates, as in Portland prison, England; or by a temporary brick wall they can each be divided at trifling expense into two cells of ample capacity for congregate imprisonment. These are each supplied with water and all necessary appliances, to be lighted by two windows and heated by warm air thrown in at the top of the room, and drawn off at the bottom. It is proposed to introduce the Pentonville method of warming and ventilating, with such improvements as experience has suggested. The part of the wing beyond the cells in which the work shops are to be placed, is to be

\* The work-shop may be introduced in front of the cells between them and the space occupied in our plan by the tables; this will afford some advantage over its introduction in the extreme end. Principal objection to the same, noise, dust, &c.

completely floored over and divided in the centre by a board partition about five feet high running from the point nearest the cells back towards the wall, leaving between it and the wall sufficient space for the desk and seat of the keeper in charge; and the whole to be enclosed from the other parts of the wing by glass doors which can be opened or closed at pleasure, thus shutting off the noise but allowing central inspection. The windows in the work-shops must be large, admitting both light and air, but protected by gratings, and in front of the work-shops there must be a tackle and fall by which raw material or manufactured goods can be raised from or lowered to the store-rooms in the basement as may be required. At the hours for eating, the prisoners at a given signal in each work-shop quit their employment and march along the corridor in single file to the dumb waiter on their gallery, where they find a server with their plates knives and forks, spoons pepper, salt, vinegar, &c., which they carry to their seats, eat what they choose, and after sufficient time another signal is given when the prisoners rise and in reversed order carry their servers containing their plates, &c., and redeposit them on the waiter, then wheel and pass along the gallery back again to the work-shop.

In this manner no time is lost either in setting or clearing away the table, and no persons engaged especially for that business. In the wings which are devoted to separate confinement, the hall and galleries run the whole length of the wing, as will be seen in the diagram; and the whole of it will be occupied by cells, and the prisoners, instead of feeding together, will be supplied from the dumb waiter with their servers, by a person or persons expressly provided for the purpose, and they will in a similar manner be supplied with raw material for their work, &c. In the central observatory there will be an elevated platform of greater or less height, according to the height of the wings, in which will be a stand point of observation at which all the prisoners can be seen by simply turning the head. This may also be used as a position from which the prisoners may be addressed while at their meals. The hospital of the prison is placed in an additional story directly over this part of the building, and is intended to occupy the entire floor of the upper part. It will have two entrances from nearly opposite wings, and will be so arranged as to have each bed separated by a partition from every other, so as to offer a distinct room for each patient, looking into the centre of the building through a grated door controlled by the attend-

ants. The centre room is provided with a light in the dome, and each bed-room is to have a small window for ventilation.

A chapel for those in separate confinement may be constructed by a prolongation of the hospital over one of the wings, and so arranged as to prevent prisoners even becoming personally known to each other. This may be done by adopting the plans and precautions used at Pentonville, England; and if it is desired to assemble all the population of the prison in the chapel at the same time, it may be done by providing separate and distinct departments for each class. The plan which we herewith present, has not been artistically drawn, and will therefore but imperfectly present our idea.\* It can only be considered as the great outline of a plan which must be filled up hereafter. The plan thus proposed possesses the advantage, first, of providing a prison equally well calculated for either separate or congregate imprisonment. It places the two systems in juxtaposition, and enables us to form an accurate comparison of their merits. It enables us to adopt or discard either, as the one or the other shall be decided to be superior; thus holding ourselves in a constant state of progress. In proposing separate confinement for first sentences, it offers the most undoubted advantages of the separate system, while in retaining congregate imprisonment for a large portion of the inmates, and superadding a minute and attainable classification it presents the congregate system in an improved shape; by the means it affords for dispensing with a crowd of hall-boys and waiters, who are at present unproductive—for increasing and equalizing the hours of labor during the whole year; and for allowing the productive advantages of congregate, it admits of the greatest economy in its management. It enables the prisoners to be constantly engaged, either in work, study, instruction, sleeping, feeding, or other necessary occupations; thus preventing the ennui and the diseases created by idleness—in its introduction of more order and system—in its facility for supervision—in opportunities for a complete and constant separation of classes—in its preventing the exposure of the prisoners to the changes of the weather, thereby promoting health—in its increased facilities for carrying on the operations of the prisons, &c., &c., it seems to excel all other known plans.

This is a brief summary of the advantages we expect to derive from prisons fashioned after the manner here sketched. If we have

\* Working plans can be procured by those wishing to build, showing in detail the arrangement and construction of the building by addressing the Cor. Sec. N. Y. P. A.

† By this plan there will be two distinct classes on each tier, making in a prison of 500, more than 30 classes.

succeeded in presenting an intelligible view of our own conception, we hope to have impressed those who may have examined our plan, with the idea that it is at least worthy of an experiment, especially as the experiment will cost but little, and the prison afterwards will be of the first order, and by a trifling expense may be converted either into a Congregate prison of the largest capacity, or into a Separate prison unsurpassed in its appliances for health and the ordinary operations of the prison. This advantage alone, we trust will be sufficient to recommend the general features of our plan to the authorities of those new States where they are about to construct prisons and introduce systems of prison government, and to those where prisons are already established, which may be found insufficient in size or so dilapidated by age as to make a new erection desirable. Prisons erected on this plan will possess the important advantage of having the convict in Congregate imprisonment under the constant watch and guardianship of the keeper—his whole prison life will be so adjusted as to be equitably distributed between labor, study, religious instruction, outdoor exercise, feeding and sleeping. By the use of the fat and the other oleaginous materials which accumulate from the meats used by the prisoners, the prison may be lighted at a trifling expense with gas; and as the prisoners never need, and indeed are never expected to go off their galleries, except for yard exercise, they can be mustered at the same hour during all seasons of the year, and work the same number of hours; their hours of study, a great desideratum, impossible to be attained under ordinary systems, can also be equally well arranged, so that the convicts need not as at present be left in the winter season more than half their time unemployed, shut up in a dark cell, with no one to control them, and nothing to employ them.

A very large portion of the hallucination and mental aberration which exists in prison may be owing to this cause, and the method to be most successfully adopted for its prevention will be a just division of the time so as to give the requisite hours to sleep, labor, instruction, &c., and to leave no hours unemployed; thus eight hours may be devoted to sleep, ten hours daily to labor, one hour to outdoor exercise, one and a half hours at table, half an hour to personal cleanliness, and three hours to instruction. Under such a system, our institutions would be disciplinary, and would regard in their management the good of the convict rather than the convenience of the keeper. As at present administered, the convenience of the keeper to a large extent governs, and he of course is anxious only to make his post as easy as possible; in this way hours are lost to instruction.

Imprisonment should be so administered, that every hour's confinement, except what health and nature demands, should be disciplinary. While the convict should be treated kindly, he should at the same time be under the strictest discipline; for lack of such discipline it is that our prisons so often fail to effect the purposes for which they were designed.

Respectfully your obedient serv't,

JOHN D. RUSS.

AN ACT

To Incorporate the Prison Association of New York.

Passed May 9, 1846, by a two-third vote.

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

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

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

ARTICLE I.

The objects of the Association shall be—

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

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

#### ARTICLE II.

The officers of the society shall be a president, four vice presidents, a recording secretary, and a treasurer, and there shall be the following committees, viz: a finance committee, a committee on detentions, a committee on discipline, a committee on discharged convicts, and an executive committee.

#### ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the Executive Committee, who shall choose one of their number to be chairman thereof.

#### ARTICLE IV.

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

#### ARTICLE V.

The society shall meet annually in the city of New-York, at such time and place as the Executive Committee shall appoint, and at such other times as the President, or, in his absence, one of the Vice-Presidents, shall designate.

#### ARTICLE VI.

Any person contributing annually to the funds of the Association, shall, during such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars an honorary member of Executive Committee for life; and a contribution of twenty-five dollars shall constitute a member of the Association for life. Honorary and corresponding members may from time to time be appointed by the Executive Committee.

#### ARTICLE VII.

A Female Department shall be formed, consisting of such females as shall be selected by the Executive Committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the Executive Committee shall adopt.

#### ARTICLE VIII.

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

#### ARTICLE IX.

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

#### ARTICLE X.

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

#### ARTICLE XI.

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

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

city, as the court of general sessions of the peace, or the court of special sessions, or the court of oyer and terminer, in said county, or any police magistrate, or the commissioner of the alms-house may deem proper objects ; and the said Executive Committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said Executive Committee may from time to time, make by-laws, ordinances, and regulations, relative to the management and disposition of the estate and concerns of said Association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said work-house, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said Association, and may designate their duties. And the said Executive Committee shall make an annual report to the Legislature, and to the corporation of the city of New-York, of the number of persons received by them into the said work-house, the disposition which shall be made of them by instructing or employ'ing them therein, the receipts and expenditures of said Executive Committee, and generally all such facts and particulars as may exhibit the operations of the said Association.

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

FOLLOWING  
PAGE(S)  
MUTILATED

STATE OF NEW-YORK, }  
In Senate, May 8th, 1846. }

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

*Resolved*, That the bill do pass.

By order of the Senate,

A. GARDINER, *President*.

STATE OF NEW-YORK, }  
In Assembly, April 24th, 1846, }

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

*Resolved*, That the bill do pass.

By order of the Assembly,

WM. C. CRAIN, *Speaker*.

Approved this 7th day of May, 1846.

SILAS WRIGHT.



REVISED STATUTES, *Part IV, Chap. 3, Title 1.*

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

1849

## ERRATA.

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It is due both to the publishers and compilers of this Report, before presenting the table of Errata, to observe that it was printed entirely without a revision of the proof, and therefore errors have almost unavoidably crept in. We have endeavored herein to supply every important deficiency, and above all to render the statistics correct.

Page 17, case 505, line fourth; insert after "told him that" "*Wells sent for;*" page 20th, case 357, line 13, for 358, read 357; line 14, for 1843, read 1848; page 25, eighth line from the bottom, insert as follows after the words *was* "*withdrawn:*" "Found Dec. 1st, 49 persons in prison, confined on temporary commitments or commitments for examination, two of which had thus been confined for three months and eight days, and others varying from two months down to two days. Thirteen cases were of more than twenty days standing, and for eleven of these I took out writs of habeas corpus, all of which would have been brought before one of the Justices of the Supreme Court, and probably discharged, had not the police justice been informed of my intention, and commenced on Sunday a general examination, which he continued to a late hour on Sunday evening, so that on the next day but three or four cases remained for the revision of the Judge; these were brought before him. More than half of these cases were committed by the justice without any oath on the part of the complainant, and some without either oath or officers' name attached to the commitment. On a subsequent visit 33 cases of temporary commitment were discovered, eleven of which had been in prison more than fourteen days under the circumstances. 1st case disorderly conduct, committed without oath or officers' name. 2d. Charge of larceny, without oath. 3d. Charge of grand larceny, without oath. 4th. Charge, grand larceny, without oath. 5th.

Charge, grand larceny, without oath. 6th. Charge, rape, without officer. 7th. Charge, suspicion of larceny, without oath. 8th. Charge, assault and battery, without oath. 9th. Charge, suspicion of grand larceny, without oath. 10th. Charge, grand larceny, without oath. 11th. Charge, grand larceny, without oath and without officer."

- Page 49. Escapes—for "*been discharged*" read "*escaped*."
62. —*Maine*—number in prison, for 47, read 67.
63. *New Hampshire*—nativity; Maine, for 4 read 3, and after New-York 6, read Poland 1.
63. *Clinton*—England; for 3 read 2.
64. *New Jersey*—for New-York 37, read 27.
66. Where convicted; Maryland, for Baltimore city 139, read 129.
67. Where convicted; *Ohio*, for Gallia 3, read 2.
69. *Auburn*—moral and religious culture; were in the habit of reading the Bible, for 556, read 536; add "*seldom read Bible before imprisonment, 556.*"
79. *Auburn*—occupation previous to conviction; for boatmen 37, read 39; for "*gold pencil maker* read *gold pen maker.*"
80. *Sing-Sing*—for laborers 211, read 217; unaccounted for, for 42 read 36.
80. *Western Pen'y*—for *rope maker* read *saddler*.
81. *Eastern Pen'y*—after *confectioner* 1, read *hostler* 2, for *coachman* read *coach maker*.
81. *Ohio*—after *hame maker* 1, read *iron roller* 1.
82. *New Hampshire*—for cabinet makers 21, read 31.
82. *Massachusetts*—for washers, read washers, sweepers and wood sawyers, 18.
89. Causes of diseases in State and county prisons; for pneumonia 1, read 4; nephritis 1, read 3; for total 91, read 92.
116. *West. Pen.*—Physicians report; for No. 1224, read 1324.
177. *Vermont*—expense; "*demands carried to susp'd acct.,*" for \$12.53 read \$15.23.
177. *Rhode Island*—receipts; for fare acct., read "*fan acct.*"
130. For Georgia from 1817, read 1847.

- Page 147. After Massachusetts S. P. insert "*Inspectors report 1849,*" (and generally where the year is omitted after the name of the State prison, insert 1849.)
150. 17th and 18th lines; considered as a note by the compiler; before 19th line from the top insert "*Massachusetts S. P., Wardens' report, 1849.*"
153. Before 15th line from top, insert Mass. S. P., Chaplain's report, 1849.
159. Before 8th line from top insert, "*Georgia S. P., Keeper's report, 1849.*"

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