

ANNUAL REPORTS

46th - 47th  
OF THE

PRISON ASSOCIATION

OF THE

STATE OF NEW YORK,

FOR THE

YEARS 1890 AND 1891.

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TRANSMITTED TO THE LEGISLATURE MARCH, 1892.

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1892.

STATE OF NEW YORK.

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No. 58.

IN SENATE,

MARCH, 1892.

FORTY-SIXTH AND FORTY-SEVENTH ANNUAL REPORTS

OF THE

Prison Association of New York, for the Years  
1890 and 1891.

PRISON ASSOCIATION OF NEW YORK,  
No. 135 EAST FIFTEENTH ST., NEW YORK CITY. }

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

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

Respectfully yours.

THEODORE W. DWIGHT,

*President.*

CHARLTON T. LEWIS,

*Chairman of Executive Committee.*

W. M. F. ROUND,

*Corresponding Secretary.*

1892-91

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DEAN SAGE.	C. D. WOOD.
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CHARLES WATROUS.	WALTER P. PHILLIPS.
JOHN WM. HUTCHINSON.	CHURCHILL H. CUTTING.
FREDERICK P. BELLAMY.	JAMES FENIMORE COOPER.

## OFFICERS FOR 1892.

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THEODORE W. DWIGHT, LL. D.

### Vice-Presidents.

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### Recording Secretary.

EUGENE SMITH.

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1890-91

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Miss Lenox.  
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R. L. Stuart.  
Alexander Stuart.  
James Stokes.  
Jonathan Sturges.  
Mrs. Catherine L. Spencer.  
Rev. James Saul, D. D.

[Senate, No. 58.]

\*Deceased.

Robert J. Livingston.  
 J. H. Mead.  
 Richard A. McCurdy.  
 Mrs. C. L. McLanahan.  
 Allen McLane.  
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 George D. Morgan.  
 Adam Norrie.  
 R. M. Olyphant.  
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 E. D. Peters.  
 George B. Phelps.  
 Wendell Prime, D. D.  
 John A. Pullen.  
 George C. Rand.  
 Latham G. Reed.  
 W. C. Rhinelandor.  
 C. R. Robert.  
 C. V. S. Roosevelt.  
 Theodore Roosevelt.  
 Henry B. Benwick.  
 Horace Russell.  
 George I. Seney.  
 James S. Seymour. Auburn.

Francis George Shaw.  
 Anson Phelps Stokes.  
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 John D. Slayback.  
 N. S. Terbell.  
 Seth E. Thomas.  
 Phoebe Ann Thorne.  
 Sinclair Tousey.  
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 J. Walter Wood.  
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 Cornelius D. Wood, Brooklyn, N. Y.  
 Alfred Sully.  
 Joseph Sampson.

1890-91

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## BY CONTRIBUTIONS OF FIFTY DOLLARS AT ONE TIME.

John H. Abeel.  
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 Isaac Bell.  
 August Belmont.  
 E. E. Bogert.  
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 Cornelius N. Bliss.  
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 Stewart Brown.  
 John Crosby Brown.  
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 Benjamin G. Clark.  
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 Israel Corse.  
 William E. Dodge, Jr.  
 Miss E. A. Dean.  
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 Hamilton Fish.  
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 Mrs. E. C. Halliday.  
 E. Herrick.  
 James Horne.  
 James C. Holden.  
 Thomas Hunt.  
 Richard Irvin.  
 Dudley Jardine.  
 John Jay.  
 Edward Jones.  
 James J. Jones.  
 Alex. S. Johnson.  
 J. H. Keyser.  
 A. C. Kingsland.  
 J. R. LeRoy.  
 Samuel Lichtenstadter.  
 A. A. Low.  
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Mrs. Joseph Milbank.  
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 William F. Mott.  
 David Olyphant.  
 E. Farnley.  
 Orlando B. Potter.  
 Thomas Prosser.  
 Howard Potter.  
 Robert C. Pruyn.  
 Percy B. Pyne.  
 Thomas M. F. Randolph.  
 Robert Ray.  
 James I. Raymond.  
 J. Hampden Robb.  
 George A. Robbins.  
 Samuel Sloan.  
 William D. Sloan.  
 W. C. Schermerhorn.  
 Frederick K. Stevens.  
 William H. Scott.  
 Leo Speyer.  
 John Stewart.  
 James F. Sutton.  
 Austin Sherman.  
 B. B. Sherman.  
 Cornelius Smith.  
 Mrs. R. L. Stuart.  
 James O. Sheldon.  
 Charles N. Talbot.  
 I. T. Terry.  
 Alton Tucker.  
 S. A. Tucker.  
 Rev. S. H. Virgin.  
 Abram Van Nest.  
 Bleecker Van Wagenen.  
 A. Ward.  
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 W. H. S. Wood.  
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 W. Walker.  
 Samuel Wetmore.

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CORRESPONDENCE.

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

Residence, Cohoes.—Earl Z. Stinson.

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

Committee on penitentiary.—C. P. Williams, chairman; Dean Sage, James T. Tracey, Dudley Olcott.

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

Allegheny county.

To be appointed under the new rules.

Broome county.

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

\* Deceased.

Cattaraugus county.

Residence, Little Valley.—Arthur H. Howe, Dr. F. Twombly.

Cayuga county.

Residence, Auburn.—H. V. Howland, Rev. C. C. Hemenway, W. O. Magee, Rev. J. K. Dixon, Charles E. Thorne, Frank W. Richardson, Dr. W. S. Chasman, Mrs. Charlotte C. Bates, Mrs. Miles Perry, Mrs. John W. Haight.

Residence, Union Springs.—Mrs. Mary H. Thomas.

Residence, Weedsport.—Homer Rheubottom.

Residence, Aurora.—Lansing Zabriskie.

Residence, Willowbrook.—Mrs. E. T. Throop Martin.

Chautauqua county.

Residence, Mayville.—Rev. J. H. Miller, William Chase.

Residence, Fredonia.—M. S. Moore.

Residence, Westfield.—Alfred Patterson.

Residence, Jamestown.—Hon. Jerome C. Preston.

Chemung county.

Residence, Elmira.—Dr. W. C. Wey, Z. R. Brockway, J. D. F. Slee, Rev. C. H. McKnight, Dr. Ira T. Hart, D. Atwater, Frederick Mall, M. S. Converse, Major E. O. Beers.

Chenango county.

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

Clinton county.

Residence, Plattsburgh.—Hon. William P. Moores, Henry Orvis, R. F. B. Hall.

Residence, Keeseville.—Hon. Henry Kingsland, 2d.

Columbia county.

Residence, Hudson.—A. B. Scott, C. W. Gebhard, John Smith, M. D., L. F. Longley, Charles C. Terry.

## Cortland county.

Residence, Cortlandville.—Lewis Bouton, Frank Place, D. Frederick Hyde.

Residence, Homer.—Dr. Caleb Green, Thomas S. Ranney.

## Delaware county.

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

## Dutchess county.

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

## Erie county.

Residence, Buffalo.—James Lyons, P. J. Ferris, Dr. John D. Hill, David P. Page, Mrs. A. McPherson.

## Essex county.

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

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

## Fulton county.

Residence, Johnstown.—Jacob Burton.

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

## Genesee county.

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

1890-91

## Greene county.

To be appointed.

## Hamilton county.

Residence, Wells.—G. B. Morrison.

Residence, Sageville.—William H. Fry.

## Herkimer county.

To be appointed.

## Jefferson county.

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

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Residence, Croghan.—Hon. William W. Rice.

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Residence, Fulton.—D. W. Gardner.

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Residence, Glen Cove.—Edwin A. Hopkins.

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To be appointed under new rules.

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Residence, Seneca Falls.—Charles A. Hawley.

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1890-91.  
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Residence, Saugerties.—W. I. Sheffield.  
Residence, Rosendale.—Rev. John Gleason.

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## Wayne county.

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Residence, Walworth.—Hon. Lucien T. Youmans.

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Residence, Sing Sing.—Dr. G. J. Fisher, Mrs. Catherine E. Van Cortland, L. G. Bostwick, S. G. Howe, Miss E. Roe, Rev. N. T. Everts.

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## Yates county.

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

1890-91

## REPORT OF THE TREASURER

TO THE

Prison Association of New York from December 31,  
1889 to December 31, 1890.

*Dr.*

Cash on hand December 31, 1889.....	\$78 53
Donations.....	4,422 70
Board of estimate and apportionment.....	500 00
Elmira reformatory, for care of paroled men.....	300 00
Rents.....	938 00
Deficit December 31, 1890.....	178 91
	<u>\$6,418 14</u>

*Cr.*

Expense of agency in New York city for discharged convicts and persons under arrest.....	\$2,148 40
Expenses of State organization, prison and jail inspection and county work.....	3,210 75
Taxes, water rents and insurance No. 135 East Fifteenth street.....	235 99
Interest on \$6,500 mortgage on No. 135 East Fifteenth street.....	325 00
House expenses.....	503 00
	<u>\$6,418 14</u>

CORNELIUS B. GOLD,

*Treasurer.*

We hereby certify that we have carefully examined the accounts and vouchers of Cornelius B. Gold, Esq., Treasurer, and find them correct.

EUGENE SMITH,

JAMES McKEEN,

*Auditing Committee.*

## DONATIONS FOR 1890.

Mrs. Edwin Parsons.....	\$5 00
Mrs. Francis Lynde Stetson.....	10 00
Adrian Iselin.....	100 00
G. E. M., a lady.....	25 00
Charles Watrous.....	50 00
Miss Sarah J. Gray.....	5 00
Mrs. Wm. T. Shedd.....	10 00
Henry G. Marquand.....	10 00
John S. McLean.....	10 00
Mrs. Julia Merritt.....	25 00
Anson Phelps Stokes.....	25 00
Anonymous.....	1 00
John W. Hutchinson.....	10 00
Samuel Richter, by Mr. Hutchinson.....	5 00
Wm. M. Jackson, by Mr. Hutchinson.....	5 00
Cornelius Vanderbilt.....	100 00
Dr. J. H. Fruitnight.....	5 00
Wm. D. Ellis.....	5 00
C. D. Wood.....	100 00
Dean Sage.....	500 00
John C. Tucker.....	10 00
Mrs. Byam K. Stevens.....	10 00
Mrs. D. B. Van Emburg.....	5 00
C. H. Contoit.....	10 00
Ascension Memorial Chapel.....	3 00
James Weir Mason.....	5 00
E. P. Dutton.....	10 00
Mrs. Jonathan Sturges.....	10 00
S. T. Gordon.....	5 00

[SENATE, No. 58.]

23

John T. Lockman.....	\$10 00
Andrew C. Zabriskie.....	10 00
Frank R. Lawrence.....	10 00
H. C. Schwab.....	10 00
Wm. R. Stewart.....	10 00
Mrs. Frederick Goodridge.....	10 00
E. C. Bogert.....	50 00
Woodbury G. Langdon.....	10 00
Henry K. McHarg.....	100 00
F. R. Coudert.....	10 00
Z. R. Brockway.....	10 00
Gerard Beekman.....	10 00
Mrs. F. S. Witherbee.....	10 00
Mrs. H. C. Stimson.....	10 00
Thos. G. Shearman.....	10 00
Wm. Hall's Sons.....	10 00
Mrs. U. Dane Ellingwood.....	5 00
R. T. Auchmuty.....	25 00
Anonymous.....	5 00
Alfred V. Meserole.....	25 00
R. D.....	5 00
Wm. Schaus.....	5 00
C. H. Dodge.....	10 00
Simon Borg & Co.....	10 00
Elgridge T. Gerry.....	100 00
Rev. Wendell Prime, D. D.....	100 00
Frank H. Parsons.....	5 00
George G. Williams.....	20 00
Mrs. Walter Geer.....	5 00
Charles W. Ogden.....	10 00
Edward Lauterbach.....	10 00
Anonymous.....	10 00
Mrs. Joseph R. Skidmore.....	25 00
Frederick Uhlmann.....	10 00
Sarah J. Van Sieten.....	10 00
Dr. E. V. Stoddard.....	10 00

Miss Campbell .....	\$10 00
W. P. Prentice .....	10 00
S. P. Merrill .....	5 00
Anonymous, Glens Falls, N. Y. ....	1 00
Dr. Emily Anthon .....	5 00
H. W. De Forest .....	50 00
Friends in Central New York, by Rt. Rev. F. D. Hun- tington .....	150 00
Allen Tucker .....	50 00
Mrs. Nicholas Fish .....	10 00
Robert V. McKim .....	5 00
Dudley Jardine .....	25 00
Rev. W. G. T. Shedd, D. D. ....	5 00
Mrs. J. Blair Scribner .....	25 00
George E. Sterry .....	10 00
Bleecker Van Waganen .....	25 00
W. D. Barnes .....	10 00
Seth Low .....	10 00
Rev. Arthur Brooks, D. D. ....	10 00
Robert Jaffray .....	10 00
James M. Constable .....	10 00
Wm. Bispham .....	10 00
Jacob Halsted .....	10 00
Cash .....	10 00
Mrs. Edward E. Poor .....	10 00
William E. Dodge .....	25 00
Dr. J. McE. Wetmore .....	10 00
Dr. T. Gaillard Thomas .....	10 00
Miss Julia Rhineland .....	100 00
Miss Serena Rhineland .....	100 00
L'Espenard Stewart .....	50 00
Robert S. Holt .....	10 00
Osbichs & Co. ....	25 00
George S. Fraser .....	50 00
John B. Whiting .....	10 00
O. B. Jennings .....	10 00

C. H. Allen .....	\$10 00
Charles B. Meyer .....	5 00
A. Ernest Vanderpoel .....	25 00
Cornelius N. Bliss .....	25 00
Henry C. Swords .....	10 00
P. Caroline Lawrence .....	5 00
S. B. Schieffelin .....	5 00
Walston H. Brown .....	25 00
Mrs. Isaac Abbatt .....	2 00
"F. E. T." .....	25 00
G. G. Haven .....	10 00
C. F. A. Hindrichs .....	10 00
Mrs. Frederick Billings .....	10 00
Morris K. Jesup .....	50 00
Cornelius B. Gold .....	100 00
Thomas M. F. Randolph .....	50 00
Mrs. Julia Merritt .....	25 00
S. T. Gordon .....	25 00
Dr. Charles D. Smith .....	10 00
C. H. Coester .....	20 00
Mrs. S. F. R. Coddington .....	5 00
Mrs. J. Angarica .....	10 00
Mrs. Helen L. Deas .....	10 00
Henry Batterman .....	10 00
Mrs. Isaac Abbatt .....	2 00
Warren C. Beach .....	5 00
Dr. Emily Anthon .....	5 00
E. C. Homans .....	100 00
George N. Curtis .....	50 00
Rev. Lyman Cobb, Jr. ....	5 00
Anonymous .....	2 00
Mrs. Alice Ketaltas .....	15 00
J. H. Kellogg .....	5 00
Mrs. Anna M. Cox .....	5 00
John Sinclair .....	10 00
"J. B. C." in memoriam .....	10 00

Mrs. C. R. Lowell.....	\$10 00
Murray fund, by David S. Taber, treasurer.....	25 00
Robert J. Livingston.....	50 00
Albon P. Man.....	10 00
James J. Goodwin.....	25 00
Henry Hun.....	5 00
Church of the Incarnation.....	20 70
Mrs. R. Campbell.....	1 00
Mrs. Mary W. Poor.....	10 00
Mrs. Charles E. Beebe.....	5 00
Anon., Station F.....	5 00
Samuel P. Avery, in memory of Henry O. Avery.....	100 00
William E. Dodge.....	10 00
William Alexander Smith.....	10 00
J. R. Planten.....	10 00
Rev. D. Stewart Dodge.....	10 00
Charles A. Schieren.....	10 00
Robert A. Chesebrough.....	10 00
Anna C. Alden.....	10 00
William T. Walton.....	10 00
Fitzhugh Whitehouse.....	5 00
Edward Baldwin.....	5 00
Mrs. William E. Dodge.....	10 00
Rev. Morgan Dix.....	10 00
George Walton Greene.....	5 00
Thomas H. Hubbard.....	20 00
Mrs. Mary Van Nest.....	25 00
Robert M. Oliphant.....	10 00
Henry B. Renwick.....	100 00
Mr. Goodrich.....	5 00
R. H. L. Townsend.....	10 00
A. A. Raven.....	10 00
Firdseye Blakeman.....	50 00
John Taylor Johnson.....	100 00
Mrs. D. B. Van Emburgh.....	5 00
Mrs. George A. Crocker.....	5 00

1890-91

John Greenough.....	\$10 00
Mrs. J. W. Auchincloss.....	10 00
Charles W. Ogden.....	10 00
Warren C. Beach.....	5 00
First Congregational Church, Amherst, Mass.....	5 00
Charles T. Cook.....	10 00
John S. Kennedy.....	100 00
Mrs. J. D. Ogden.....	10 00
John J. McCook.....	10 00
H. F. Spaulding.....	25 00
William Colgate.....	25 00
Mrs. P. A. Porter.....	25 00
Mrs. George H. Morgan.....	10 00
J. Morgan Howe.....	5 00
O. B. Jennings.....	10 00
Mrs. J. W. Minturn.....	10 00
Mrs. George H. Warren.....	10 00
Archer V. Pancoast.....	10 00
R. Fulton Cutting.....	50 00
J. L. Dudley.....	10 00

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 \$4,422 70

1890.

## OTHER DONATIONS THAN MONEY.

Mrs. Dodd.....	Reading matter.
E. St. John Hays.....	Clothing.
George L. Cheney.....	Clothing.
Mrs. W. B. Lockwood.....	Clothing.
William Openhym.....	Clothing and reading matter.
W. B. Welling.....	Reading matter.
Anonymous.....	Reading matter.
Mrs. Partridge.....	Reading matter.
Miss Ward.....	Reading matter.
Mrs. R. Corcoran.....	Reading matter.
Mrs. Blatchford.....	Reading matter.

Rev. H. L. Myrick	Clothing.
L. S. Metcalf	Reading matter.
Mrs. N. Rally	Clothing.
Mrs. Waterbury	Reading matter.
Hospital B. & N. Society	Reading matter.
Robert W. Rutherford	Clothing.
George A. Strong	Clothing.
A. A. Redfield	Clothing.
Mrs. S. Stiner	Reading matter.
Mrs. H. H. Nathan	Clothing.
Mrs. George B. Grinnell	Reading matter.
Hospital B. & N. Society	Reading matter.
Dr. R. H. Sayre	Clothing.
Rev. E. W. Bullard	Reading matter.
C. W. Ogden	Reading matter.
W. H. Atwood	Clothing.
Miss D. Fay	Clothing.
Joseph Corbit	Clothing.
Mrs. G. S. Hall	Reading matter.
Mrs. G. H. Barker	Clothing and reading matter.
Mrs. W. L. Breeze	Clothing.
E. H. Ogden	Clothing.
A. E. Faxon	Clothing.
J. W. Miller	Clothing.
Hosp. B. & N. Society	Reading matter.
Mrs. J. F. Dillon	Clothing and reading matter.
Mrs. John W. Ambrose	Clothing and reading matter.
Andrew C. Zabriskie	Clothing.
Mrs. Thos. Macy	Reading matter.
Mrs. H. Waldo	Reading matter.
Mrs. Pierre M. Thomson	Clothing and reading matter.
Anon	Clothing.
Mrs. De Witt C. Taylor	Reading matter.
Miss Fay	Clothing.
Mrs. Clark	Clothing.
Mrs. Leon Hess	Clothing.
L. Stewart	Reading matter.
Mrs. J. F. March	Reading matter.

Geo. H. Morgan	Clothing.
Mrs. C. Wray	Clothing.
G. C. Wetmore	Clothing.
Mrs. W. H. Montanys	Reading matter.
M. Bellman	Reading matter.
Mrs. John Stanton	Clothing.
Mrs. Emily Anthon	Clothing and reading matter.
John B. Whiting	Clothing.
Mrs. Nicholas Fish	Reading matter.
Anon	Clothing.
Miss Brooks	Reading matter.
Wm. Herron & Co.	Reading matter.
Miss G. Kendall	Reading matter.
Mrs. Poores	Clothing and reading matter.
Mrs. Hermann	Reading matter.
C. W. Loomis	Clothing.
C. J. Gillis	Clothing.
Mrs. Reed	Clothing.
Mrs. R. Burt	Reading matter.
H. Rosenberg	Reading matter.
Mrs. R. S. Gould	Reading matter.
Wm. S. Dunbar	Reading matter.
F. Ford Sutton	Clothing.
Mrs. J. F. Dillon	Clothing.
Anon	Clothing.
Mrs. W. H. Granberry	Clothing and reading matter.
Mrs. Blatchford	Reading matter.
M. Davidson	Clothing.
Mrs. Waterbury	Reading matter.
Mr. Bradford	Reading matter.
Mrs. S. Ullman	Clothing.
Mrs. Williams	Clothing.
H. Melville	Clothing.
Mrs. C. W. Machen	Clothing.
Miss Dent	Clothing.
Rev. H. L. Myrick	Reading matter.
Mrs. J. H. Jaquelin	Clothing.
E. St. John Hays	Clothing.

1890-91

Miss Dame.....	Reading matter.
Mrs. J. F. March.....	Reading matter.
Lawton.....	Reading matter.
Mrs. W. H. Flohr.....	Clothing.
Melville.....	Clothing.
Mrs. J. H. Jaquelin.....	Clothing.
Geo. E. Sterry.....	Clothing.
F. E. Otis.....	Clothing.
Anon.....	Clothing.
L. J. Werner.....	Reading matter.
Mrs. W. Bispham.....	Clothing.
Miss Brooks.....	Clothing.
Hospital B. and N. Society.....	Reading matter.
Miss McKnight.....	Clothing.
S. B. Schieffelin.....	Reading matter.
Mrs. R. A. Shotwell.....	Clothing.
Blagden.....	Reading matter.
Miss J. E. Clark.....	Reading matter.
Edward Cobb.....	Clothing.
Mrs. C. Murray.....	Reading matter.
C. W. Loomis.....	Clothing and reading matter.
Mrs. A. M. Jackson.....	Reading matter.
Mrs. J. H. Jaquelin.....	Clothing.
Bowery Mission.....	Reading matter.
Gospel Mission.....	Reading matter.
Mrs. Chittendon.....	Reading matter.
Mrs. R. Huson.....	Reading matter.
Mrs. G. G. Brinkerhoff.....	Reading matter.
Mrs. R. Dodd.....	Reading matter.
Mrs. Werner.....	Reading matter.
Miss Dame.....	Reading matter.
Eugene Smith.....	Clothing.
Mrs. Rutherford.....	Clothing.
Mrs. Stevens.....	Clothing.
L. Koehler.....	Reading matter.
Mrs. J. H. Britton.....	Clothing.
Mrs. F. N. Otis.....	Clothing.
Mrs. Helen L. Deas.....	Bedding.

J. Albert Lane.....	Clothing and reading matter
Mrs. A. H. Smith.....	Clothing.
Mrs. E. F. Hyde.....	Clothing.
Geo. F. Salter.....	Reading matter.
N. Freeman.....	Clothing.
W. J. Haddock.....	Clothing.
Rutherford.....	Clothing.
C. J. Gillies.....	Clothing.
Mrs. Wilson.....	Reading matter.
Mrs. H. Bennett.....	Clothing.
Mrs. S. Hermann.....	Clothing.
H. H. Nathan.....	Clothing.
Mrs. M. Julieur.....	Clothing, reading matter.
J. Morgan Howe.....	Clothing, reading matter.
Mrs. R. Campbell.....	Clothing.
Mrs. Geo. M. Groves.....	Clothing.
Mrs. W. E. Bullard.....	Reading matter.
W. Waterbury.....	Reading matter.
Mrs. Williams.....	Clothing.
Anon.....	Clothing.
Miss Jones.....	Reading matter.
S. P. Avery.....	Clothing.
Mrs. Goodrich.....	Clothing.
Mrs. J. H. Jaquelin.....	Clothing.
McKnight.....	Clothing.
A. E. McFarland.....	Clothing.
Mrs. T. Moss.....	Clothing.
Rev. Geo. S. Payson.....	Clothing.
Mrs. E. E. Poore.....	Clothing.
Jas. J. Phelan.....	Clothing.
A. E. Miller.....	Clothing.
Mrs. Campbell.....	Clothing.
Mrs. Hedden.....	Clothing.
Thos. F. Rowland.....	Clothing.
Andrew C. Zabriskie.....	Clothing.
John M. Shedd.....	Clothing.
Mrs. G. A. Frink.....	Clothing.
Mrs. Chas. W. Ogden.....	Reading matter.



Mrs. Blatchford .....	Reading matter.
Miss Kendall .....	Reading matter.
Henry Lindenmeyr .....	Wrapping paper.
Dr. Geo. W. Crary .....	Clothing.
Mrs. John Stanton .....	Clothing.
Mrs. Walter C. Hubbard .....	Reading matter.
Miss Hammill .....	Reading matter.
Mrs. Mary Scott Rowland .....	Clothing.
Hospital B. & N. Society .....	Reading matter.
Miss Van Norden .....	Clothing.
Mrs. Geo. H. Monnell, Jr .....	Reading matter.
R. Fulton Cutting .....	Clothing.
H. C. Bolton .....	Clothing.
Louis B. McCagg .....	Clothing.
Mrs. Chas. L. Tiffany .....	Clothing.
Mrs. E. M. Gillett .....	Clothing.
Mrs. E. Strauss .....	Reading matter.
L. Strebeigh .....	Clothing.
Mrs. C. S. Day .....	Clothing and reading matter.
Mrs. J. H. White .....	Clothing.
Mrs. L. Lincoln .....	Clothing.

1599-91

## TREASURER'S ACCOUNT

WITH THE

Prison Association of New York for Ten Months, from  
December 31, 1890, to October 31, 1891.

<i>Dr.</i>	
Donations .....	\$3,246 28
Bequest, estate of Mary Rogers .....	1,000 00
New York State Reformatory .....	300 00
Rents .....	255 00
Institution for Savings of Merchants' Clerks, old balance .....	3 00
	<u>\$4,804 28</u>

<i>Cr.</i>	
Expenses of agency in New York city for discharged convicts and persons under arrest .....	\$2,075 38
Expenses of State organization, prison and jail inspection and county work .....	1,826 83
Water rents and insurance on No. 135 East Fifteenth street .....	26 20
Interest on \$6,500 mortgage on No. 135 East Fifteenth street .....	162 50
House expenses .....	385 13
Paid deficit for 1890 .....	178 91
Balance in Mechanics' National Bank, October 31, 1891 .....	149 33
	<u>\$4,804 28</u>

CORNELIUS B. GOLD,

*Treasurer.*

The treasurer's account is only given for ten months, because the association has this year changed the date for making its annual report from December 31 to October 31. This change causes the receipts and payments to be diminished by the proportionately large amounts that would otherwise come into the months of November and December.

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

New York, December 18, 1891.

EUGENE SMITH,

EDWIN B. MERRILL,

*Auditing Committee.*

1891-91

## DONATIONS.

Benjamin Ogden Chisolm.....	\$5 00
Adrian Iselin.....	100 00
Lewis P. Tibbals.....	5 00
Victor Gerard.....	10 00
Mrs. John F. Dillon.....	10 00
Abraham S. Peet.....	5 00
Mrs. Edwin Parsons.....	5 00
Mrs. W. Wheeler Smith.....	10 00
"G. E. M.".....	25 00
John S. McLean.....	10 00
W. Van Norden.....	10 00
Mrs. Wm. T. Shedd.....	10 00
Miss Sarah J. Gray.....	5 00
Mrs. Francis Lynde Stetson.....	10 00
Z. R. Brockway.....	10 00
Maturin D. Delafield.....	10 00
Mrs. Henry V. Parsell.....	10 00
Mrs. Frederick Billings.....	25 00
Henry Day.....	10 00
Wendell Prime, D. D.....	100 00
Cornelius Vanderbilt.....	100 00
Mrs Wm. Polk.....	10 00
Mrs. W. F. Waring.....	10 00
Mrs. Frederick Goodridge.....	10 00
O. H. Contoit.....	10 00
John T. Lockman.....	10 00
H. K. McHarg.....	100 00
F. R. Coudert.....	10 00
Mrs. Jonathan Sturges.....	10 00

Wm. D. Ellis.....	\$5 00
Church of the Covenant.....	40 00
James Weir Mason.....	5 00
George G. Williams.....	20 00
Wm. R. Stewart.....	10 00
C. H. Dodge.....	25 00
Wm. Schaus.....	5 00
Edward C. Bogert.....	50 00
Anson Phelps Stokes.....	25 00
Woodbury G. Langdon.....	10 00
Mrs. Walter Geer.....	5 00
H. C. Schwab.....	10 00
Gerard Beekman.....	10 00
Wm. Hall's Sons.....	10 00
Mrs. F. S. Witherbee.....	10 00
J. Watts de Peyster.....	10 00
Richard S. Ely.....	10 00
Andrew C. Zabriskie.....	10 00
R. T. Auchmuty.....	25 00
E. P. Dutton.....	10 00
Mrs. A. L. Eastman.....	10 00
C. D. Wood.....	100 00
J. Hampden Robb.....	50 00
Mrs. Chauncey M. Depew.....	10 00
"Mrs. A. E. B.".....	5 00
Mrs. Henry Eagle.....	2 00
Victor Gerard.....	10 00
Mrs. Julia Merritt.....	25 00
Mrs. H. C. Stimson.....	10 00
Nathaniel W. Conkling, D. D.....	5 00
John B. Lawrence, Jr.....	5 00
"M. A. D.".....	5 00
H. W. de Forest.....	50 00
Thomas G. Shearman.....	10 00
John Crosby Brown.....	10 00
Dean Sage.....	100 00

W. F. Prentice.....	\$10 00
J. Cleveland Cady.....	10 00
Frederick Uhlmann.....	10 00
Mrs. Ellen Collins.....	10 00
Mrs. W. H. Verplanck.....	2 00
John D. Wing.....	10 00
First Presbyterian Church, Binghamton, N. Y.....	40 05
George S. Fraser.....	25 00
M. Fay Peirce.....	2 00
Dr. Emily Anthon.....	5 00
Robert V. McKim.....	5 00
Mrs. Henry Talmadge.....	5 00
Mrs. Joseph R. Skidmore.....	25 00
Mrs. E. V. S. Winthrop.....	25 00
Mrs. George Forrest Butterworth.....	5 00
Rev. John C. Bliss.....	10 00
Leonard D. White.....	10 00
Robert Jaffray.....	10 00
Mrs. George W. Van Siclen.....	10 00
M. E. Bowen, Philadelphia, Pa.....	5 00
Charles E. Merrill.....	10 00
Mrs. Alexr. Miller.....	10 00
Wm. E. Dodge.....	10 00
H. G. Marquand.....	10 00
Wm. Einstein.....	10 00
A. Ernest Vanderpoel.....	25 00
Edwin Einstein.....	25 00
S. Newton Smith.....	25 00
Miss Nellie de Peyster.....	1 00
Payson Merrill.....	10 00
W. S. Rainsford, D. D.....	10 00
Mrs. James Gallatin.....	5 00
Dr. Henry D. Noyes.....	10 00
James A. Hearn & Son.....	10 00
Middleton & Co.....	10 00
Dudley Jardine.....	25 00

J. Lawrence McKeever.....	\$10 00
Mrs. Joseph Milbank .....	50 00
Mrs. M. B. Wheeler .....	10 00
James M. Constable .....	10 00
George E. Sterry .....	10 00
Dr. J. McE. Wetmore .....	10 00
Robert S. Holt .....	10 00
Bleecker Van Wagenen .....	25 00
Seth Low .....	10 00
Dr. T. Gaillard Thomas .....	10 00
Arthur Brooks, D. D. ....	10 00
C. H. Allen .....	10 00
Mrs. J. Blair Scribner .....	25 00
Wm. Bispham .....	10 00
J. Halsted .....	10 00
H. E. Alexander .....	10 00
Oelrichs & Co .....	25 00
John B. Whiting .....	10 00
"Cash" .....	10 00
E. C. Potter .....	10 00
Mr. and Mrs. Paul Tuckerman.....	50 00
Charles B. Meyer .....	5 00
James H. Hamersley .....	25 00
Mrs. P. Caroline Lawrence .....	5 00
Henry C. Swords .....	10 00
Morris K. Jesup .....	50 00
S. A. Tucker .....	50 00
S. A. Tucker .....	5 00
Henry A. Bogert .....	10 00
R. S. Cross .....	10 00
Cornelius C. Colgate .....	10 00
"V. G." .....	10 00
Dr. Willard Parker .....	10 00
Amos R. Eno .....	10 00
Norman W. Dodge .....	25 00
Mrs. E. G. Ellingwood .....	5 00
Wm. F. King .....	10 00

Edward Lauterbach .....	\$10 00
Mrs. Nicholas Fish .....	10 00
Lispender Stewart .....	50 00
Miss Serena Rhineland .....	200 00
John C. Tucker .....	10 00
J. Stickney .....	10 00
Christ Church, Oswego, N. Y.....	10 00
J. Hampden Robb .....	25 00
Benjamin Ogden Chisholm .....	5 00
J. W. Curtis .....	100 00
Arnold, Constable & Co.....	25 00
C. H. Coster .....	25 00
Oliver G. Barton .....	5 00
Rev. Lyman Cobb, Jr.....	5 00
Mrs. S. F. R. Coddington .....	5 00
Mrs. E. T. Hiscock .....	2 00
Robert C. Pruyn, Albany, N. Y.....	50 00
James F. Tracey, Albany, N. Y.....	10 00
J. Fenimore Cooper, Albany, N. Y.....	10 00
Church of the Incarnation .....	83 07
Grace Episcopal Church .....	214 16

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 \$3,246 28

1891.

## OTHER DONATIONS THAN MONEY.

Mrs. R. Huson .....	Reading matter.
Arthur Mitchell .....	Clothing.
S. E. Naylor .....	Bedding.
Anon .....	Clothing.
Dr. E. Anthon .....	Clothing.
W. A. Wiechmann .....	Clothing.
Dr. L. D. Bulkley .....	Clothing.
Hosp. B. and N. Society .....	Reading matter.
Mrs. W. H. Flohr .....	Clothing.

Mrs. Scott Rowland.....	Clothing.
Mrs. R. A. Shotwell.....	Clothing.
E. Cobb.....	Clothing.
Mrs. De Witt C. Taylor.....	Clothing.
Theo. L. D. Vinne & Co.....	Printing.
Mrs. R. C. Tatham.....	Clothing.
Mrs. Vanderpool.....	Clothing.
Mrs. C. S. Day.....	Clothing.
Mrs. R. L. Cutting.....	Clothing.
Mrs. H. Waldo.....	Reading matter.
M. L. Dewsnap.....	Clothing and reading matter.
J. B. Laurence, Jr.....	Clothing.
Miss J. Blumenstiel.....	Reading matter.
Mrs. A. M. Kellogg.....	Clothing.
H. Howson.....	Reading matter.
Mrs. Dillon.....	Clothing and reading matter.
J. J. Kittel.....	Clothing.
Mrs. W. H. Verplanck.....	Clothing.
Friends' Seminary.....	Reading matter.
Whitfield.....	Clothing.
Mrs. F. W. Rennell.....	Clothing and reading matter.
Mrs. J. A. Merrill.....	Reading matter.
Mrs. Alex. Miller.....	Clothing and reading matter.
Hospital B. and N. Society.....	Reading matter.
Dr. J. L. Kortright.....	Reading matter.
A. C. Zabriskie.....	Clothing.
M. Loomis.....	Reading matter.
Mrs. W. Peterson.....	Reading matter.
Mrs. F. B. Elliott.....	Clothing.
Mrs. Voorhis.....	Clothing.
A. J. Ronx.....	Clothing.
P. M. Silcock.....	Reading matter.
Mrs. Chas. Machen.....	Clothing.
B. O. Chisholm.....	Clothing and reading matter.
Louis B. McCagg.....	Clothing.
Mrs. M. Julien.....	Clothing and reading matter.
Mrs. C. S. Day.....	Clothing.
Whitfield.....	Clothing.

C. W. Loomis.....	Clothing.
Mrs. John H. Wray.....	Clothing.
Hospital B. and N. Society.....	Reading matter.
Anon.....	Clothing.
Mrs. Chas. E. Beebe.....	Clothing.
P. Wisner.....	Clothing.
Mrs. M. A. Leavitt.....	Reading matter.
Mrs. E. S. Snyder.....	Reading matter.
Miss Dame.....	Reading matter.
Miss Fessenden.....	Clothing and reading matter.
Mrs. J. D. Hayne.....	Clothing.
Dr. Emily Anthon.....	Clothing.
Mrs. Howard Clarkson.....	Reading matter.
Mrs. Smith.....	Clothing.
Miss C. Silcock.....	Reading matter.
Col. Geo. T. Balch.....	Clothing.
Mrs. Low.....	Clothing.
Mrs. W. Tompkins.....	Clothing and reading matter.
Andrew C. Zabriskie.....	Clothing.
Mrs. J. H. Jaquelin.....	Clothing.
Lehmaier & Bros.....	Letter paper.
Kilian Van Rensselaer.....	Clothing.
Mrs. Geo. A. Jeremiah.....	Clothing.
J. Perry.....	Clothing.
J. L. Roberts.....	Reading matter.
H. N. Fraser.....	Clothing and reading matter.
Mrs. Eugene Smith.....	Clothing.
Mrs. J. H. Bird.....	Reading matter.
Mrs. Knoblauch.....	Clothing.
Crane.....	Reading matter.
Mrs. Geo. W. Van Sicien.....	Clothing.
A. E. Seifert.....	Clothing.
Mrs. H. Fisher.....	Clothing and reading matter.
Gen. R. C. Hawkins.....	Clothing.
Dr. Wildman.....	Clothing.
Mrs. W. P. Beers.....	Clothing.
Mrs. A. H. Levy.....	Reading matter.
C. J. Gillis.....	Clothing and reading matter.

Mrs. Wilson .....	Clothing and bedding.
Mrs. S. Ullman .....	Clothing.
W. A. Potter .....	Clothing.
Dr. W. C. Moore .....	Reading matter.
Mrs. E. D. Hicks .....	Reading matter.
Louis B. McCagg .....	Clothing.
Mrs. W. Rosenberg .....	Reading matter.
Mrs. Lee .....	Clothing and reading matter.
Jas. J. Phe'lan .....	Clothing.
Miss Eleanor Hendricks .....	Reading matter.
Mrs. H. H. Nathan .....	Reading matter.
Martin Wolff .....	Reading matter.
Mrs. Mary C. Gettman .....	Clothing.
W. H. Brown .....	Clothing.
Mrs. John M. Masterton .....	Reading matter.
Mrs. J. S. Halsey .....	Reading matter.
Anon .....	Clothing.
Isaac N. Seligman .....	Reading matter.
Mrs. G. A. Jeremiah .....	Clothing.
Mrs. C. S. Day .....	Clothing.
A. E. Snyder .....	Reading matter.
Mrs. R. King .....	Reading matter.
Mrs. Blatchford .....	Reading matter.
Mrs. E. K. Linen .....	Clothing and reading matter.
Mrs. Perkins .....	Clothing.
Mrs. Geo. E. Baker .....	Bedding.
Mrs. M. Davidson .....	Clothing.
Miss Wardell .....	Clothing.
Mrs. Lispenard Stewart .....	Reading matter.
Mrs. James W. McLane .....	Reading matter.
Miss Helen W. Foot .....	Reading matter.
W. Clark, Jr. ....	Reading matter.
Miss Van Worden .....	Clothing.
Mrs. J. G. Skinner .....	Reading matter.
Mrs. O. Meyer .....	Reading matter.
Mrs. Eugene Smith .....	Clothing.
Mrs. C. W. Machen .....	Clothing and reading matter.
Mrs. Robert Taylor .....	Reading matter.

E. Greene .....	Clothing.
Mrs. G. Winthrop .....	Reading matter.
Mrs. J. T. Lockman .....	Clothing.
Mrs. J. Stanton .....	Clothing.
A. Henderson .....	Clothing and reading matter.
Mrs. M. H. Chittenden .....	Clothing.
Mrs. Low .....	Clothing.
Am. Female Guardian Society .....	Reading matter.
Miss J. Pindell .....	Reading matter.
Mrs. C. W. Machen .....	Clothing and reading matter.
Mrs. Nicholas Fish .....	Reading matter.
Mrs. Edward R. Jones .....	Reading matter.
Robert Fox .....	Clothing, carpet.
Mrs. George Errington .....	Clothing, carpet.
E. Valentine .....	Reading matter.
M. E. Tweedy .....	Reading matter.
Mrs. J. A. Davis .....	Reading matter.
Miss Phinney .....	Reading matter.
E. Chandler .....	Clothing and reading matter.
F. Blume .....	Clothing and reading matter.
M. L. H. Beers .....	Clothing.
Mrs. Silber .....	Reading matter.
E. P. Ingraham .....	Reading matter.
Mrs. H. H. Brown .....	Clothing and reading matter.
James L. Miller .....	Reading matter.
Mrs. Geo. A. Morrison .....	Reading matter.
Mrs. E. C. Underhill .....	Reading matter.
E. M. ....	Clothing.
Mrs. Wheeler .....	Clothing and reading matter.
J. R. Davenport .....	Clothing and reading matter.
Mrs. E. Cotter .....	Clothing.
Mrs. J. Scott .....	Clothing and reading matter.
Mrs. M. Mitchell .....	Clothing and \$5.
Mrs. C. R. Swartz .....	Furniture.
Dr. Sayre .....	Clothing and reading matter.
W. C. Pike .....	Clothing.
D. Drone .....	Clothing.
Anthony Comstock .....	Reading matter.

Dr. Chas. S. Benedict.....	Clothing and reading matter.
Mrs. A. Knox.....	Clothing.
N. Black.....	Clothing and reading matter.
F. S. Pownal.....	Clothing.
Ely Coley.....	Reading matter.
Mrs. M. A. Shute.....	Reading matter.
Mrs. McCrum.....	Reading matter.
Mrs. J. H. Johnson.....	Reading matter.
E. Brodhead.....	Clothing and reading matter.
Mrs. Melcher.....	Reading matter.
Mrs. W. Loudon.....	Reading matter.
W. Briggs.....	Reading matter.
William P. Cooper.....	Reading matter and clothing.
Mrs. C. Wilkie.....	Reading matter.
E. C. Norton.....	Clothing and reading matter.
Mrs. White.....	Clothing.
A. C. Zabriskie.....	Clothing.
Mrs. Caroline Nelson.....	Reading matter.
Mrs. Arecularius.....	Reading matter.
Mrs. E. N. Smith.....	Clothing.
Mrs. Thomas S. Clarkson.....	Clothing.
Mrs. Naylor.....	Clothing.
Mrs. George E. Woodward.....	Clothing.
Mrs. A. Carpenter.....	Reading matter.
Mrs. C. Irving.....	Clothing.
Miss S. B. Jandon.....	Reading matter.
Elsie Davis.....	Reading matter.
Miss E. Inslee.....	Reading matter.
Mrs. E. F. Davison.....	Reading matter.
Mrs. W. P. Beers.....	Clothing.
R. H. Amidon.....	Reading matter.
Mrs. James Hershheim.....	Reading matter.
Mrs. M. Julien.....	Clothing and reading matter.
J. F. O'Neill.....	Clothing.
James Corbit.....	Clothing.
Anon.....	Clothing and reading matter.
Hospital B. & N. Society.....	Reading matter.
C. W. Loomis.....	Clothing.

A. W. Gerster.....	Clothing.
E. S. Melville.....	Clothing and reading matter.
Mrs. Colwell.....	Clothing and furniture.
W. D. Demarest.....	Clothing and reading matter.
Mrs. K. N. Tomkins.....	Clothing.
Mrs. A. G.....	Reading matter.
Mrs. Cyrus Cole.....	Reading matter.
W. H. Ritter.....	Reading matter.
Dr. R. H. Derby.....	Reading matter.
Mrs. F. Bryany.....	Clothing and reading matter.
Miss A. L. Bartow.....	Clothing and reading matter.
Mrs. Odell.....	Clothing and reading matter.
Dr. J. De Witt Nelson.....	Clothing and reading matter.
Miss Shinn.....	Reading matter.
A. A. Hunter.....	Reading matter.
Mrs. E. F. Davison.....	Reading matter.
M. A. Tiemann.....	Clothing.
M. Chas. Raht.....	Reading matter.
Mrs. A. Brown.....	Reading matter.
G. G. Needham.....	Reading matter.
W. H. Van Kleeck.....	Reading matter.
H. Stagg.....	Clothing.
Z. K. Bents.....	Reading matter.
A. B. Throop.....	Clothing and reading matter.
Mrs. A. Brown.....	Clothing and reading matter.
Mrs. Smiler.....	Clothing and reading matter.
S. E. Bennet.....	Clothing.
Mrs. C. F. Zabriskie.....	Clothing and reading matter.
H. L. Richards.....	Reading matter.
Mrs. H. Melville.....	Iron bedstead.
Dr. Wm. Burns.....	Clothing and reading matter.

## Charter of the Prison Association of New York.

AN ACT to incorporate the Prison Association of New York.

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

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

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of \$10,000, nor be applied to any other purpose than those for which the corporation is formed.

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

### ARTICLE I.

The objects of the association shall be:

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

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

### ARTICLE II.

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

### ARTICLE III.

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

### ARTICLE IV.

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

### ARTICLE V.

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

### ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron: a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty



dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

## ARTICLE VII.

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

## ARTICLE VIII.

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

## ARTICLE IX.

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

## ARTICLE X.

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

## ARTICLE XI.

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

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

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

3. The said executive committee shall have power to establish a work house in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in

said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the *bridewell* or *penitentiary* in said city.

4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

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

6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may

enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;\* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

## STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

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

Resolved, That the bill do pass.

By order of the Senate.

A. GARDINER,  
*President.*

## STATE OF NEW YORK:

IN ASSEMBLY, *April 21, 1846.*

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

Resolved, That the bill do pass.

By order of the Assembly.

A. C. CRAIN,  
*Speaker.*

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

See section 24.

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

Approved, this 9th day of May, 1846.

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

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

ARCH'D CAMPBELL,  
*Deputy Secretary of State.*

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.\* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And 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.

\* See section 29 in last revision.

## By-laws of the Prison Association of New York.

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

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

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

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

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

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

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

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

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

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

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.
2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.
2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for him.
3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking

care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

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

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

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

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

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

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

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

#### REPORT OF EXECUTIVE COMMITTEE.

The Prison Association of New York, complying with the law under which it was organized, offers its annual reports, Nos. 46 and 47. This report covers year 1890 and part of 1891. The report of 1890 was sent to the Legislature late in the session and was a record of fifteen months' work. It was sent in the usual way to the clerk of the Senate, but owing to the recent law that all reports made to the Legislature from State boards or societies authorized to do work for the State must be in before December twelfth, the report was not published. The manuscript was not returned to the association and a careful search has failed to find it. This report, then, will cover the work of the association for 1890 and a part of 1891. The work of the association, as outlined in its charter, has been faithfully done, as will be shown in the reports of its different departments. Never before in its history has the association done so practical a work for the rehabilitation of discharged prisoners, nor has it ever before taken so large a part in the inspection of State prisons and the investigation of certain alleged abuses.

#### INVESTIGATION.

In the early part of August, 1891, there appeared in certain public prints very highly drawn stories of abuses in Dannemora prison. The secretary of the Prison Association, having had his attention called to these, went at once to Dannemora to ascertain exactly how much truth there was in the published stories. They were found to be very much exaggerated, but there was still enough truth in them to make an investigation desirable, and the visit of the corresponding secretary to the prison was speedily followed by the appointment of a commission acting as attorneys in fact for Superintendent Lathrop to investigate all the affairs of Clinton prison. The corresponding secretary of this association was secretary of that commission. Five sessions were held and an immense amount of evidence was taken. A report was published giving the findings of fact and certain recommendations as to the discipline and rules of the prison. The findings of fact were as follows:

## FINDINGS AND FACTS FROM THE EVIDENCE.

1. The agent and warden has not caused to be kept a daily journal, or any record for entry of every or any well-founded complaint made by any convict of cruel or unjust treatment by a keeper, as by statute he has been required to do, or caused to be provided any means for the making of such complaint, by any convict, without the consent of his keeper.

2. The chaplain has never made a written quarterly report to the warden, stating the number of convicts instructed during the last preceding quarter or any period of time, or the branches of education in which they have been instructed, or the progress made by them, or whether there are any cases in which unusual progress has been made, as the law has directed, but testifies he made "a verbal report."

3. The making of shirts and the laundering of the same are the chief industries of the prison, and with a comparatively small manufacture of men's drawers, children's waists, women's night-dresses and corset covers and a little box-making and State work and incidental industries furnish the only opportunities for teaching trades to the prisoners, the evidence showing also that from 175 to 200 prisoners were idle.

4. With such limited exceptions, trades have not been taught and the labor of the prisoners has not been directed with sole or primary purpose to fit convicts of the first class to maintain themselves on their discharge, or with secondary reference to such self-support of convicts of the second class, as the statute has commanded.

5. A number of keepers and guards with the principal keeper, have sometimes indulged in profane swearing toward convicts, or in their presence.

6. Intoxication or the immoderate use of intoxicating liquors at times has been proved against the following officers, though habitual drunkenness has not been shown against any of them to wit: Guard Cassidy, Guard McGraw, Keeper McGowan, Keeper Conway and Keeper John Nash.

7. Guard Feehan has clandestinely carried letters from and to prisoners in their correspondence with outside parties.

8. The corporeal punishments of the prison have been administered in four modes, to wit, by paddling, by pulleys, by process of stretching on one arm, successively in point of time; and by dungeon or screen cell. Immurement in the dungeons or the screen cells has been cotermious with the successive periods of the three other forms of punishment. Paddling was mostly, but not entirely, discontinued after the order of Superintendent Baker, approved by Governor Cleveland, dated January 16, 1883, was issued forbidding it; but most, if not all, such cases of paddling subsequent to said order were reported by the warden to the superintendent. The pulleys, which then became the substitute for the paddle, were destroyed with the paddling chair and other contents of the guard-room, which was consumed by the fire of January 1, 1891. Since the fire the process of stretching on one wrist has supplanted both paddle and pulleys.

9. The last-mentioned mode of punishment, designated by the officers as the "tying up" process, has been by means of a cord, secured with or without a handcuff to one wrist of the subject and fastened to a fixture overhead. The tension has been such as to strain the arm painfully when long continued, even with the feet left to rest entirely on the ground, and in many cases, such as to lift the heels, and in other cases such as to raise the balls of the feet from the ground. The duration of this "tying up" process, when under a tension, straining the patient to the toes, has been from a few minutes to an hour or more, and under less painful tension has been from the "all right" bell, early in the evening, prolonged indefinitely, sometimes until morning or for eighteen hours or more.

10. This punishment usually has not been continued in the presence, even if commenced in the presence, of the warden or the principal keeper or the prison physician; and sometimes it has been administered by inferior officers at night to stop noise or disturbance without special order from the warden or the

principal keeper, but under a general power from the principal keeper.

11. The punishment by pulleys was by means of a cord about one-quarter of an inch in diameter bound about both wrists brought together, and drawn upon an overhead system of pulleys, lifting the subject entirely from the ground, with his whole weight suspended on the small cord about his wrists. The duration of this process of punishment, which in persons of the same weight denotes the degree of its severity, was from two minutes or less to fifteen and twenty-five minutes and more, one case shown reaching fifty-five minutes. It is proved that several of the cases in evidence fainted, and it is in the testimony of officers that in their opinion other cases of apparent fainting were simulated, the principal keeper giving fifteen or twenty occurrences where, in his judgment, the symptoms of fainting were feigned. It is in evidence that in the year 1885, one case of great length was attended by bets, or offers to bet, on the part of two inferior officers on the probable endurance of the subject. Hon. Goodwin F. Brown, the former pardon clerk of Governor Hill and Governor Cleveland, in the discharge of the duties of his office, obtained the impression that except in rare cases the maximum limit of the time of such hanging was two minutes. The evidence shows that, assuming the form of punishment to be proper, in no case should it exceed from five to ten minutes.

12. Punishment by paddling was administered in the guard room. The paddles were made of two thicknesses of sole leather stitched at the edges, which were three to four inches wide on the blade, and, with the twisted handles of the same material, were about twenty-eight inches long. The blows by means of such paddles were inflicted on the bare flesh of the buttocks of the subject, who was in position bent across a frame called a chair or horse with his face downward, his feet encased in fixed shoes at the base on one side, his arms secured by wristlets attached to a bar about one foot from the ground on the other side, and his thighs and back fastened with leather straps. This, or a similar device, was formerly used in other prisons. Though

the number of blows was kept under thirty, perhaps, in the majority of cases, it was not an extraordinary occurrence in which a prisoner received forty or fifty blows; and among the particular cases in evidence, it is proved that one convict received 100 blows on one occasion since the said order was issued enjoining any and all paddling, to wit, in the year 1885; and another prisoner in the month prior to the issue of said injunction, to wit, December, 1882, and within a period of ten days was subjected to five different paddlings, receiving on each of two given days over 200 blows. Each of the two subjects of the paddling here specified was insane. The late prison physician, who was in office until the spring of 1889, was present at both these punishments, and advocated one and consented to the other, though by statute he had authority and it was his duty to prevent them. Another case of paddling occurred in the fall of December of 1890, on the charge of feigning insanity; for which the warden, on reporting the same to the Superintendent of State Prisons, was by him reprimanded, as appears by the records in his office. The first Superintendent of State Prisons obtained the impression that the number of blows never exceeded thirty. If the punishment should be assumed to be legal and right, the proper maximum limit would be five to ten blows, as the evidence shows.

13. These three modes of punishment, respectively, by paddling, by pulleys and by process of one wrist, were frequent, being, besides many lesser punishments, on the average several in one week, and in the great majority of cases for failure in work. But the evidence shows that such forms of punishment, if they could be construed to be legal and justifiable, should be administered under the most definite restrictions as to severity and admissibility, and should be reserved, on account of their moral effect, for grave offenses and rare occurrences which in number and degree would be a small part of the actual cases established in this prison.

14. The punishment by solitary confinement on short allowance, has been applied, not in ordinary cells, but in dark cells or dungeons, and in screen cells. The screen cells have sometimes

been used for detention, but when used for punishment have differed from the dungeons, which are totally dark, only in the admission of a few rays of light; and each sort of punishment cell has been devoid of all furniture except a bucket; not even a board having been provided for protection against the stone flagging. The prisoners here and elsewhere call these cells coolers. The short rations in these cells are four ounces of bread and one gill of water, every twenty-four hours. The ordinary periods of such confinement have been from two to five or six days. The evidence shows neglect by the late physician, Dr. Smith, in making official visits to convicts so immured, and one case of oversight by the present physician, who has, however, not been shown to be negligent in any other case. One old case of incarceration in January, 1880, with full rations of bread and water, for three and perhaps six weeks, followed within a short time by similar confinement on bread and water for ten or fourteen days or longer, was established by the proofs; and it is in evidence that afterwards the patient was kept in close confinement in the screen cell, but with bed and on ordinary diet, for a few months and then by the late prison physician, soon after the beginning of his official administration, admitted to the hospital, where a few weeks subsequently he died of a disease which the evidence does not show was caused by the confinement, but may or may not have been aggravated by it. The offense of this man was refusing to work and assaulting an officer.

15. Some of the inferior officers have at times struck the prisoners, and to some extent the principal keeper has given to keepers power to "cuff up" prisoners.

16. Unpleasant relations were sustained by the late physician with the warden and his principal keeper; and the physician confined his advice strictly to the physical ability of prisoners to endure punishments, and failed to give orders, even on that ground, for the discontinuance of punishments; and such orders when given were by the principal keeper, in one case, disobeyed; and the claim made by Dr. Smith is that his orders were evaded in other cases, though on cross-examination he fails to identify them.

17. The present physician, Dr. Ransom, has advised respecting punishments on general grounds, and secured mitigations in punishments by the pulleys since his term of office began, in the spring of 1889, until the substitute of stretching on one wrist was adopted. The said prison physician has been diligent in keeping the required records of his office, and in attending to hospital and general prison duties.

18. The hygienic condition of the hospital has been greatly improved under the direction of the present physician; and the sanitary condition of the entire prison is excellent. The food is good and has been as good as the statutory limits of prison diet admit; and the complaints to the contrary are entirely disproved.

19. The published charges against the financial management and affairs of the agent and warden are entirely disproved; and the investigation of the said charges did not disclose any irregularities of finances or accounts, which, having been examined by a competent expert, are shown to have been kept on a correct system and with honesty and a high degree of care.

20. The number of prisoners employed at shirt making has always been much less than that allowed by the five per cent limitation, which is defined in the statute; and it was reduced, prior to this investigation, to seventy on shirt making, and thirty on laundering.

The regular hours of labor have not exceeded eight for each working day, and have excluded every Sunday and public holiday, excepting works of necessity or mercy.

21. The agent and warden has given much of his time to the financial and business departments of his office, in purchases and sales and other affairs; and has intrusted the discipline of the prison almost entirely to the principal keeper, in accordance with the practice which has more or less obtained in other penal institutions. The agent and warden has been ignorant of many of the abuses and evils under his administration.

22. The fire of New Year's day, 1891, discovered good discipline among the convicts and admirable conduct and self-possession on the part of the warden with his inferior officers; and its effect in crowding prisoners into open corridors, where they slept on

bunks fronting the cells of the unburned building, was to make the government and management of the prison more difficult during a large part of the year 1891.

23. In the new prison now building, cells for solitary confinement have been designed on improved plans, and so far removed from the common cells as to admit of punishments by immuring refractory or noisy prisoners, without disturbing the occupants of the common cells; and were so designed by the agent and warden, with the advice of the prison physician, and with the approbation and in pursuance of the general suggestions of the Superintendent of State Prisons, prior to the investigation of charges or their publication or presentation, and with the purpose and intention of reducing the number and mitigating the severity of other modes of corporeal punishment, and of bringing the system of discipline more in harmony with the statute.

24. Clinton prison, under the system of transfers from other prisons as directed by the first Superintendent of State Prisons, and continued by his immediate successor, has had more than its proportionate share of disabled and of hardened and incorrigible prisoners.

25. The agent and warden and his principal keeper expressed willingness, before the commission, to confine the punishments and discipline of the prison, in the future, within the provisions of the statute.

#### GENERAL CONCLUSIONS FROM THE FACTS FOUND.

1. The agent and warden has violated the directions and provisions of the Revised Statutes in neglecting to keep a record for entries of complaints, or to provide means for convicts to make complaints, or to teach the prisoners or direct the labor of the prison, with sole or primary reference to fitting those of the first class to maintain themselves on discharge, or with secondary reference to such self-support of prisoners of the second class, or to secure the quarterly reports of the chaplain.

2. The chaplain has violated the law in neglecting to make such reports.

3. The agent and warden has also violated express injunctions and directions of the Revised Statutes in permitting and in some cases personally ordering punishments by paddling, by pulleys and by stretching on one wrist; and in failing to limit all unusual punishments to solitary confinement on short allowance, subject to the daily inspection and direction of the prison physician; and in consenting to the direction or continuance of any punishments by inferior officers. It is fair to state that he claims on his construction of the statute that these punishments have not been in violation of the law.

4. The principal keeper has violated the law in the said matters of said punishments; and also in giving general power to keepers to stretch and to "cuff up" prisoners. He makes claim on the construction of the law similar to that of the warden.

5. The punishments by the three modes of respectively paddling, pulleys and stretching by one wrist, have often been severe, sometimes bordering on the line of excessive severity, and in a few cases in evidence crossing such line into cruelty.

6. The punishments by solitary confinement on short allowance have been practiced by methods *not suggested but not forbidden* by the statute, which does not specify that the prisoner should be immured in a cell entirely and continuously dark, or devoid of bed or even a plank on which to lie, though the practice in this prison has not greatly differed from that in other penal institutions.

7. The undue severity practiced in this prison, and the several violations of statute by the officers, appear to have proceeded not from a hardened heart or conscience of the agent and warden or the principal keeper, but in some cases from wrong construction of the law, and in other cases from indefensible ignorance of the law and of the ideas by which it is informed, and from exceptional conditions obtaining in this prison.

8. Most of the offenses for which severe punishments have been inflicted have been directly or indirectly caused by superior officers in failing to employ competent and properly qualified keepers, perhaps under the pressure of political conditions; and



in failing to direct the labor of the prisoners in a variety of such trades and ways as would best fit them respectively, according to their several capacities, for self-support on their discharge, and at the same time employ them for the maintenance of the prison, in industries which, on account of their former pursuits or present abilities, would give the most product with the least friction; and in failing to provide individual or personal government or treatment of the convicts; and, as already specified, in failing to follow the letter and the spirit of the statute.

9. Most of the severe punishments appear to have been retributive rather than remedial.

10. Clinton prison has not been maintained on actual system, and in fact, as the statute directs for the "reformation of convicts" committed to it.

RECOMMENDATIONS ON THE FOREGOING FINDINGS AND CONCLUSIONS  
AND ON THE PROOFS.

1. The following officers should be discharged, to wit: Guard Cassidy, Guard McGraw, Keeper McGowan and Keeper Conway, for having been intoxicated; and Guard Feehan for violation of the rules of the prison and of the provisions of the Penal Code. Keeper Lewis should be reprimanded for excessive profanity and rough conduct; and retained, if at all, on the express condition that for a repetition of either offense he will be discharged. Keeper John Nash should be reprimanded for being intoxicated, and required to abstain from the use of intoxicating liquors. The fact that in other respects he is an exceptionally good officer justifies the substitution of such condition in place of an absolute discharge.

2. Each vacancy created by a discharge or otherwise should be filled with a good man, to be appointed free from political influence, and in exact and strict accordance with the civil service rules.

3. Certain provisions for the security and welfare of the prisoners should be made. Larger cells are needed. An assistant physician is required to relieve the overburdened prison physician.

The shirt factory, which rocks and excites the fears of the convicts confined there in the fierce winds which strike the elevated site of the prison, should be made secure for the sake of the feelings of these involuntary inmates, as well as for their safety in fact. Manila paper should be furnished for closets on sanitary reasons, as well as for protection of bibles and other books that have been mutilated to supply the want.

4. The three modes of punishment, respectively, by paddle, by pulleys and by process of stretching by one wrist, should be abolished by the warden and prohibited by the superintendent. While there is difference of opinion among the members of the commission on the merits of the form of punishment by paddling, if administered under proper regulations, all the members agree that the law prohibiting it should be complied with while on the statute book; and that the punishment by pulleys and by process of one wrist should be abolished. The punishment by dungeon, or screen or solitary cell should be regulated, by requiring record entry, by the prison physician, of his daily visit to each convict immured, with statement of the rations and of the protection by plank, or otherwise, from the stone floor, and of the alterations, if any, between short and larger or better allowance of food, and between deprivation and restitution of bed, and between exclusion and admission of light.

5. Each punishment of a serious nature, including solitary confinement on short allowance, and the decision and order therefor, should be delayed one day from the arraignment of the convict and the examination of the charge or complaint against him. The observance of such a rule would often show punishment to be unjust or make it unnecessary, while it would not interfere with proper detention or confinement for safety, pending the examination and delay of punishment.

6. A variety of trades should be introduced, and keepers should be appointed on account of their qualifications to instruct in such trades; and the labor of the prisoners should be directed to qualify them to maintain themselves on their discharge, as directed by the statute.

7. The agent and warden should provide complete means for the access of convicts and the communication of their complaints to him, without the consent of their keepers, as well as for the proper entry of such complaints; and among such means he should first furnish proper facilities for the writing and delivery of letters from convicts to him, as is done in some other prisons. In other and all matters and respects also, individual treatment and personal government of the convicts, under the enforcement of general laws applicable to all alike, should be substituted for the mechanical methods of the present system of discipline.

8. The statute should be amended to direct that prisoners respecting whose sanity there is a reasonable doubt, shall be transferred to the Asylum for Insane Convicts for observation, and that a record of all such cases shall be returned to the prison for filing.

9. The law should be so amended as to require the warden in person to make a daily report, duly verified by his affidavit, to the Superintendent of State Prisons, of all cases of punishment and discipline and other important matters in the management of the prison, and making the intentional neglect to render such report, or the intentional falsification, suppression or omission of any such case of punishment or discipline, a felony; and providing that in the absence or disability of the warden, and in that event only, the principal keeper shall make such report, under the same sanctions and penalties.

10. The attention of the revisory commission should be called to the foregoing and other points mentioned in the opinion, for proper consideration in the revision of the Prison Law.

#### POLITICAL CONTROL OF PRISONS.

The investigation was most thoroughly and conscientiously made, but one point upon which the law is very explicit was not touched, and that is the matter of political control of the prisons and political appointments to places within the prisons. The investigation itself grew out of such an appointment having been made in the person of one John Brophy, who was appointed, it is said, at the instance of Mr. Murphy, of Troy, and without special reference

to any fitness or experience as a prison officer. His appointment to this prison and to Auburn prison is a typical instance of the way keepers are foisted upon the wardens of our prisons, and kept in positions in them, and I can not, perhaps, do better than to quote the testimony of Warden Fuller as sworn by me in the preliminary investigation. It is as follows:

Isaiah Fuller, being sworn, testified as follows:

Q. What is your position here? A. I have held the office of warden for the past twelve years.

Q. Have you anything to do with hiring guards and keepers here? A. I have everything to do with it.

Q. How do these men come to you? A. Through recommendation of different people.

Q. You have had a man named Brophy here? A. Yes, sir; John Brophy.

Q. How long was he here? A. He was examined September 28-29 and went on duty October 1, '89; he left October 29, '90, and returned for duty January 11, '91; he was suspended finally February 2, '91.

Q. How did he happen to come to you? A. He was recommended to me by Mr. Murphy, of Troy; I saw Mr. Murphy and told him I had to put on some new officers and asked him if he had any good men in view; he recommended B.

Q. Did you find him a good officer? A. I found him a very good post guard; he asked to go on post; said he preferred that on account of his health; he wanted to get into the woods on account of some lung difficulty and asked for the position of guard; he was kept there until our fire; then we had to have the old and experienced hands to take care of men upon the ruins and we put substitutes on post.

Q. Did he ask to be removed or transferred to Auburn? A. No, sir; he was suspended here; he violated prison rules in refusing to obey an order of the principal keeper. When we took him off post we put him right on as night guard and he was found asleep; I was away in Albany; Mr. Moon on my return said "I have suspended Brophy for refusing to obey my orders;" I asked him what was the matter, and he said that a night man

having been taken sick he had sent out for Brophy to relieve him, in the middle of the afternoon to come in and do this man's night duty, and that he had sent back reply that he would be G. D. if he would do night duty for Mr. Moon or anybody else; Mr. Moon suspended him and told him to go outside the gate.

Q. What reason had you for supposing he would be a good officer at Auburn if he was not here? A. I had no reason to so suppose; he went home; I met him in Albany and he said he had made a mistake; that he was satisfied that he was wholly wrong in the matter and that we had done right to suspend him; he asked me to reinstate him and said there would be no further trouble; after a while I did reinstate him and he got along very well for a time; then he appeared to be grouchy and came to see me; he seemed to be quarrelously disposed and said he was satisfied that no Troy man could live up here; I told him that we had Troy men and men from nearly every county in the State and that they seemed to get along all right here; he said "I don't think anybody but a Clinton man can get along here," and intimated that this prison was run by Clinton county men; he stayed around here for a while and it was reported that he was writing up the prison; I saw Mr. Murphy and told him that I could not get along with this man Brophy; that he was prejudiced against the people up here; Mr. Murphy said that on account of his sister that he would like this man to have a place; said that he had a very nice family; I asked him if he was a drinking man, and he said, "No, sir; I never knew him to take a glass of liquor in his life;" I said I would try if I could change him to Auburn to satisfy him and everybody else that we were not against Troy people, and Mr. Murphy said he would consider it a favor if I would do so; I saw Warden Durston before I saw Superintendent Lathrop; Brophy went to Auburn, but remained there less than three weeks; he went to sleep and slept two or three hours and he continued asleep some two or three hours after the arrival of a guard sent to relieve him; when he left there he said he did not think he would go to work, as he could make more money writing up prisons.

Q. He made a distinct threat of writing up the prisons? A. Yes, sir; he made the reply I have stated, after I told him I wished to satisfy his friends, which was the reason I interested myself in his behalf, but that under no circumstances could he do duty here; he said he would not work for the State of New York or anybody else over eight hours a day; that he had to work from twelve to fourteen hours here; that the laws of the State of New York did not require him to work over eight hours."

After the investigation had been made and the report published, in accordance with the promise made to the commission I visited the prison again to ascertain if the law as to political appointments had been complied with. I put every officer in the prison under oath and examined him as to the appointments of all keepers made since June 6, 1889, when the present law went into operation. I found that of fifty-seven officers fifty-one were Democrats, a large number of whom were appointed without any civil service examination and purely on the recommendation of political leaders; that the prison was, in fact, a political prison, where it was fully understood that the surest avenue to preferment was political service, either rendered in the past or prospectively in the future. The first officer examined was the warden of the prison, who received his own appointment on the first of last January on the summary removal of Warden Fuller, who was thrown out of a position he had held for many years with forty-eight hours' notice and without cause. Mr. Fuller himself was a Democrat, a man of known loyalty to that dominant political faction of that county and was known to be obnoxious to the State administration on that account. He was replaced by a man who had had no experience whatever as a prison officer, but whose affiliations were warmly in accord with the faction then dominant in the State. An examination of the new warden shows him to be a man full of zeal, and one who is intelligently studying the complex problems with which he has to grapple. He has vigorously taken hold of the administration of the prison, has acted upon all the recommendations made by the investigation commission, and has made himself perfectly

accessible to convicts who may wish to complain to him, or ask his help. But the fact remains that his appointment was purely a political appointment made at the instance of a party leader, and that an estimable man who was obnoxious to the party was unscrupulously sacrificed in order to make the place vacant, his thirteen years of prison service counting for nothing. During the incumbency of Warden Fuller all applicants for the position of keeper or guard were examined under the civil service rule, in many cases the examination being conducted by the chief examiner, Mr. Riley. This practice has been entirely abandoned. Perhaps I can not do better to make plain the way in which appointments are made at the prison than to quote directly from the evidence taken by me as reported by the court stenographer in Clinton county, Mr. Cleary:

CLINTON PRISON, DANMORA, N. Y.

The following testimony of the respective witnesses was taken by Secretary Win. M. F. Round:

Walter N. Thayer, being duly sworn and examined by Mr. Round, testified as follows:

Q. Where was your former residence before you became warden? A. Troy, N. Y.

Q. How long have you been warden? A. Since the 1st of January, 1892.

Q. Previous to the receipt of your commission had you any intimation that you would become warden of this prison? A. Yes, sir.

Q. How long a time before that? A. A year prior to that.

Q. How did you get the intimation? A. Well, through conversation; I was an applicant for the position; the first man I applied to was Governor Hill.

Q. Did the Governor promise you the position? A. No, sir.

Q. Was your application to him based upon any political service that you rendered? A. No, sir.

Q. Did you mention any political service? A. No, sir.

Q. Did he mention any to you? A. No, sir; I may state that I have been a personal and intimate friend of Governor Hill for years, and my reason for making application to him was that I was not acquainted with General Lathrop.

Q. How long before you received your commission did General Lathrop give you any intimation that you might receive the appointment? A. I was introduced to General Lathrop about three days prior to my appointment.

Q. Will you tell us what your political affiliations are? A. I am a Democrat.

Q. Have you ever held any office — political office? A. Simply local; I was alderman of the city of Troy and president of the common council there.

Q. Both of those are elective offices? A. Yes, sir.

Q. Do you hold any position in the county or city political committees in Troy? A. I am a member of the Democratic county committee.

Q. Are you a member of the State committee? A. No, sir.

Q. You have been warden since January first? A. Yes, sir.

Q. Have you taken on any new keepers since that time, or guards? A. Yes, sir; guards; no new keepers, any further than to promote some of the old guards to vacant keeperships; appointed no new men to be keeper.

Q. Would it be possible for you to give us the names of the men who have been appointed to places in the prison since you became warden? A. Yes, sir. (Produces record.)

Q. What is this book that you produce? A. The principal keeper's time book, where he keeps the time of the men every day they work.

Q. Who keeps it mainly? A. The principal keeper. (Page 46 of said book marked "Exhibit A.")

Q. In this list of officers and keepers on page 46, it appears that the appointments made since your administration begin with P. H. Cooney, guard? A. Yes, sir.

Q. Will you tell me on whose recommendation Mr. Cooney was appointed? A. He was appointed on the recommendation of a gentleman named John Kelly, of Malone, Franklin county.

Q. Is this Mr. Kelly a man personally known to you? A. Yes, sir.

Q. Was there anything in his recommendation asking for appointment as a recognition for political services? A. No, sir; simply that he was a friend of his and an old prison officer--had been guard here before; I am frank to say he is one of the best officers I have here.

Q. On whose recommendation was J. Jennings appointed? A. Hon. Austin Lathrop, Superintendent of State Prisons.

Q. Do you know what the political affiliation of either Cooney or Jennings is? A. I do not.

Q. Upon whose recommendation was Peter Flinn appointed? A. On the recommendation of Frank Rice, at the request of the Superintendent of State Prisons.

Q. Upon whose recommendation was C. Henry appointed? A. Mitchell and Henry were two death watches that belong right here in the village; Mr. Fuller appointed them.

Q. On whose recommendation was A. L. Thayer appointed? A. He was appointed on my own recommendation; he is a brother of mine.

Q. Upon whose recommendation was Edward W. Crumm appointed? A. My own.

Q. What did you know of Mr. Crumm before you appointed him? A. I knew Mr. Crumm as a miner at Lyon Mountain; he wasn't getting good wages there and couldn't get along very well, and he made application to me and I appointed him as guard.

Q. On whose recommendation was Thomas Ormsbee appointed? A. He was appointed on the recommendation of Edward Murphy.

Q. Was the appointment made as a reward for political service? A. No, sir; Mr. Murphy asked me if I could appoint a man named Ormsbee for him who had formerly been a police officer; I knew him as such myself; I was acquainted with him myself.

Q. Did you ever know of any political service he rendered your party? A. No, sir; I don't regard him as a politician.

Q. Will you kindly state what you intend to make your rule in regard to appointments? A. Well, my intention is to have a civil service board here at the prison to examine men after thirty days' trial, as to their mental and physical fitness for the place.

Q. Other things being equal, would a man who had had experience in prisons as a prison officer between two candidates be the man who would get the preference? A. Yes, sir; he certainly would.

Q. Those men you have appointed here have not yet gone through any civil service examination? A. No, sir; not that I know of.

Q. James T. Macksey, upon whose recommendation was he appointed? A. Recommended to me by Hon. Austin Lathrop.

Q. John Words, of Buffalo? A. On the recommendation of Lieutenant-Governor Sheehan.

Q. Thomas McCormick, of Lansingburgh, upon whose recommendation was he appointed? A. On that of Edward Murphy, Jr.

Q. These are all the appointments that you have made since you have been there? A. Yes, sir.

Q. These men are employed, are they, permanently? A. No, sir; these men are taken on probation; they are taken on for thirty days and then we examine them and see if they are fit, and if they show by their performance of their duties and their knowledge of them that they are desirable men for the place they are retained.

Q. These men come to you without any civil service examination having been previously made? A. Yes, sir.

Q. Do you know whether that has been the general custom of the prison? A. Yes, sir; it has; they are generally put on probation for thirty days and then submitted to a civil service examination afterward by the prison board.

Q. Are they not examined by the Civil Service Board of the State? A. No, sir; the reason of that is because of a decision by the Court of Appeals in the case of Mr. Shamahan, in the Public Works Department, in which they decided that men in that department need not be examined except by the authorities themselves; they are subject to the city civil service board; General Lathrop

tells me, and I believe it to be the law, that the prisons are subject to the same rule. Acting on that, I propose to examine the men myself as to their fitness, with the aid of a board, at the prison, and have not made application to the State board.

Q. That is, I understand you that these if they are taken on after thirty days' probation as permanent officers of the prison will not be subjected to any other civil service examination than that made at the prison here? A. Not unless I find that I am mistaken in my construction of the law; I have no desire to clash with the State Civil Service Board.

Q. Have you a list of the keepers and guards appointed since June 6, 1889? A. No, sir; I know of no such list; Mr. Fuller was warden then; I will have the clerk make such a list from the books.

Q. In regard to the industries of the prison will you kindly tell me what changes you have made since your wardenship? A. I am attempting to establish the manufacture of wooden scoop shovels; I have four men now employed at it, and purpose increasing the number as rapidly as I can find men that are adapted to it; it is all hand work, and I believe will not only be a healthy exercise for the men, but one that will add largely to the financial showing of the prison.

Q. How many men among the whole can you employ in that industry? A. There is no such industry mentioned in the census; scoop shovels, as I understand, are made by farmers in the winter time and taken to stores and sold; they are made largely in Canada; I don't know of any made in this State except a few down in Sullivan county; here is a shovel that was made here in the prison by one man in forty minutes, by hand, out of rough wood; it requires no machinery; costs about ten dollars for tools.

Q. Can you employ all the men of the prison at this who are capable of working at anything? A. A man who wasn't handy with tools couldn't adapt himself to this work.

Q. What proportion of the men of the prison do you suppose could adapt themselves to that work? A. I am looking them up as rapidly as I can; I have found three men and since then three more; I think one in twenty would be about the estimate.

Q. How many prisoners have you at present? A. Eight hundred and fourteen.

Q. If one in twenty were able to do this work, that would give you about forty men? A. Yes, sir.

Q. What were your plans and intentions regarding the other convicts? A. I propose putting as many on that as I can work to advantage, and sell the product.

Q. Do you know what the demand is for these shovels? A. I am corresponding with some parties now in regard to it; I got a letter this morning from a party offering to take hold and see what they could do; I am also in correspondence with Canadian people to take the product; I am informed that they sell at from three dollars and fifty cents to six dollars a dozen; a man can make half a dozen a day, and that is quite an earning.

Q. That would employ forty men; is that the only industry you have introduced? A. No, sir; I am negotiating with parties as to caning chair seats; this work is wholly done in prisons.

Q. And also done in a good many of the charitable institutions of the State? A. Yes, sir; I don't know of any that are made by free labor in this State; here is a sample one here; those were made by Vermont parties for export entirely; not to be used in this country at all; I have not closed a bargain with them because we differ a little as to figures; if I can get them to my terms, I will probably put a lot of men on that industry.

Q. How many should you think you could employ on that? A. I should think that I could put about sixty men on that; men who are now absolutely not earning a cent for the State for the reason that they are not physically able to do work on the scoops, or to work in the factory on account of bad eyesight, age, or crippled limbs—these men could work on this caning work; I could probably put sixty men at it—perhaps more.

Q. That would be an estimate of 100 of the men here; have you made any changes in the shirt and laundry manufacturing industries here; are you still going on with those industries? A. Yes, sir.

Q. For whom are you making the shirts? A. For the State.

Q. Who is disposing of the product? A. J. A. Emerson, of Warrensburgh.

Q. The same agent as for Mr. Fuller? A. Yes, sir.

Q. The same relations are sustained towards the prison in every way? A. Yes, sir.

Q. And the same set of books is kept as we examined before? A. Yes, sir.

Q. What other industries do you intend to establish? A. I am looking into the manufacture of cheap trunks, which are not made in this State, except by one firm in Rochester—one firm, I believe it is Likely & Co., of Rochester; those trunks are mostly made in New Jersey; very few made in this State.

Q. How many would you employ in that? A. I can't tell yet whether I would employ any, as I don't know whether it would be remunerative; I am simply feeling my way.

Q. You have read carefully the provisions of the statute regarding the labor of prisons? A. Yes, sir; I can not employ more than five per cent of free labor on any one industry.

Q. How many are employed to-day in all the industries of the prison? A. Three hundred and twenty-seven, yesterday.

Q. How are they employed—in what way? A. Manufacturing corsetcovers, eighteen men at that; manufacturing shirts, sixty-one men at that; manufacturing boys' waists, 198 men at that; manufacturing ladies' waists, forty-one men at that; manufacturing ladies' night robes, nine men at that.

Q. How many are employed on general work of the prison—like the blacksmith shop and carpenter shop? A. I have not got a carpenter shop; I am employing some men at carpenter work in the basement of my hall there—perhaps a dozen.

Q. Are you employing outside labor for that or prison labor? A. Prison labor.

Q. Have the same foremen been kept in the shops? A. Yes, sir.

Q. Hired by Mr. Emerson? A. No, sir; by myself.

Q. Any change in that respect? A. No, sir; I have retained the men that Mr. Fuller had in the blacksmith shop; we have

some tinsmiths as well; I have got probably eight men in the blacksmith shop.

Q. Those are all the men you have working at trades are the men—the carpenters working at your house and the blacksmiths and tinsmiths? A. I have got a printer, a book-binder, an engraver; those are the only men working at trades.

Q. How many hall men or attendants are you employing now—what proportion? A. I can not tell exactly as to that because we are whitewashing and cleaning all our halls, and we have a large gang employed at that; I have to-day eight men out with a keeper cutting wood for those scoop shovels; some men shoveling snow around and cleaning up generally; I have thirteen men in the boiler-house taking care of the boilers, coal, etc.

Q. Will you tell me if you have in your employ to-day in any capacity in the prison any of the following men: Guard Cassidy? A. No, sir; Guard McGrath? A. No, sir; Keeper McGowan? A. Yes, sir; Keeper Conway? A. No, sir; Guard Feehan? A. Yes, sir.

Q. Are you aware that the commission appointed by the Superintendent of State Prisons to investigate certain matters at Clinton prison has concluded such investigation and made its report? A. Yes, sir.

Q. Were you requested by the superintendent to discharge the men whose names I have just called? A. Yes, sir.

Q. Will you kindly tell me why you have not discharged Keeper McGowan? A. Because at the present time I have absolutely no man to take Mr. McGowan's place at the factory, and I would be crippling myself if I removed him until I can find a man that can supply his place.

Q. And about Guard Feehan? A. The same explanation applies to both these men.

Q. Is Keeper Lewis still here? A. Yes, sir.

Q. Tell me if you have formally reprimanded these men as provided in the report? A. Yes, sir; and in connection with that I have served each officer of the prison with a copy of those rules issued by the superintendent.

Q. You have handed me a paper called "Rules and Regulations for the Guidance of Keepers and Guards and Employes of State Prisons in the State of New York?" A. Yes, sir.

Q. Issued by whom? A. By the Superintendent of Prisons.

Q. What have you done with it (marked exhibit B)? A. I have served a copy on every officer of the prison.

Q. Have you given any other instructions to the officers of the prison? A. Yes, sir; I issued this pamphlet which I show you, being the rule contained in the book (exhibit B) in regard to the use of intoxicating liquors; I had that printed and circulated separately in order to call special attention to it.

Q. Have you discharged any keepers since you have been here? A. No, sir; I have retained the old force that Mr. Fuller had here to a man except those that the commission recommended to be discharged.

Q. What punishments have been administered since your wardenship? A. The dark cell and screen cell and short time.

Q. You speak of the dark cell; what are your rules regarding punishment in the dark cell? A. A man is put in the dark cell for violation of prison rules and confined there as long as the warden or keeper thinks he merits, unless the doctor directs or recommends his being taken out; the doctor visits him daily to see as to his health and general condition, and thus far he has had no occasion to recommend anyone being taken out.

Q. What are the rations? A. Four ounces of bread and a gill of water per day.

Q. Are these men generally, so far as your observation goes, without looking at the books, punished for failure to do their work or for violation of prison rules? A. I have not punished a man for failure in doing work since I have been here.

Q. Has the standard of work been the same as before—the eight hour standard? A. Yes, sir.

Q. Have you allowed men to work in the cells? A. No, sir.

Q. What provisions have you made for the religious and moral instruction of the men? A. I have made no provision, for the want of a chapel and school-room, and because all the time I

have been here the chaplain has been ill; as soon as our chapel is completed the religious services and school will be inaugurated.

Q. Have you got the same chaplain? A. We have at present, but he has resigned and a new chaplain will be employed next month.

Q. The appointment is practically made then? A. Yes, sir; by the superintendent; his name is Anson Cheeseman.

Q. On whose recommendation is that? A. I couldn't tell you; I am simply informed that Anson Cheeseman has been appointed.

Q. Do you know his politics? A. I do by hearsay; I understand he is Republican; that is the rumor.

Q. Do you know the politics of Mr. Grant, the retiring chaplain? A. Democratic.

(Mr. Thayer afterwards makes further statement to the following effect.)

In addition to complying with the recommendations of the board in the employment of those men I issued a general order which I submitted to you awhile ago, and which is as follows: "To all officers of Clinton prison:

"I am directed to notify each officer of the prison that swearing at or using obscene language to convicts will be considered sufficient cause for dismissal.

"I may add that brutal or inhuman treatment of convicts by officers will not be tolerated. An officer should never strike a convict unless in defense of his own person, or that of a brother officer, or in quelling an insurrection. If a convict deserves punishment, the warden or principal keeper are the proper authorities to administer it.

"Respectfully,

"WALTER N. THAYER."

Q. What steps have you taken to comply with the recommendation of the commission to provide better means for communication between the convicts and the warden? A. I have directed every officer in the prison to receive any verbal or written request from any convict to interview me and to present



that request to me on the same day he receives it; if convenient for me, I see the convict at once; if not, I consider the request on the following Sunday; last Sunday we interviewed fifty-four prisoners; there has not been a single Sunday since I have been here but what we have had any less than thirty.

Q. What are the nature of the complaints or things that they want? A. There are very few complaints; they are principally requests for little favors.

Q. Like what? A. To be permitted to subscribe for papers, for books; to have extra letters written; and in a few instances to be transferred to other prisons that they may be nearer their relatives; to be taken out of the shop; to exercise; for work by those who are idle, to give them employment instead of keeping them locked up in their cells; then, I have had a petition from the prisoners in the large prison—containing 538 prisoners—requesting me to hold religious services on Sunday, and to permit the band to play every Sunday morning; that I granted; they represented that it was a long time from Saturday night until Monday morning locked in the cells, so that every Sunday morning the band plays in the hall for the pleasure of the convicts.

Q. Is it possible for any prisoner to get a communication to you except through the hands of a keeper? A. No, sir; except when I pass through the prison, a prisoner can ask his keeper to leave his place and stop right there and speak to me; I hardly ever go through the factory but some prisoner stops us and speaks to me.

Q. That might be prevented by the keeper refusing to let him leave his place? A. Yes, sir.

Q. Supposing a convict had a reasonable complaint against a keeper, how could he convey it to you? A. By sending a communication to me, either verbal or written, through the keeper; then, I bring them here and hear what they have to say; there is no one present but my stenographer and myself; I make minutes of what they want and comply with their requests when possible; I have also adopted the recommendation of the board by keeping a prison diary of everything that occurs in the prison.

Q. Will you kindly let me see it? A. Yes, sir. (Produces it.)  
Q. This book is what? A. The daily record of the prison; marked exhibit D.

Q. Who is it kept by? A. By the stenographer; the keepers are instructed to report everything that transpires in their departments to the warden, and the diary is made from that.

Q. I see there are some punishments recorded here in addition to the other cases—complaints, etc.; is there any other record of punishments kept than this? A. Yes, sir.

Q. In your regular punishment book which was brought before the commission? A. Yes, sir.

Q. This is solely, as I understand it, a book of where the cases come under the personal supervision of yourself or the principal keeper? A. All cases of punishment come under the supervision of either one of us.

Q. Are those men brought before you here? A. No, sir; if an offense is committed by a convict, he is brought to the guard-house, and I or the principal keeper go over there and investigate; if it is a case of a man failing to do his work, I have made it a rule that no one shall punish him except myself; I don't let even the principal keeper have any responsibility of that kind at all; I run the factory; if there is a breach of discipline the principal keeper will attend to it.

Q. What proportion of the time do you spend here, Mr. Thayer; take a month, or any time, for instance? A. I am probably away from the prison four days a month; two days at the warden's meeting, and possibly during the middle of the month I may be called down again; I have been away four days this month; I might speak right here of an outline of a plan I am attempting to put in execution in the prison; it is in relation to factory work; I have been looking over the records of the prison under my predecessor and find that a great many of the men had been punished for not doing their work; I thought possibly that some of these men were punished when they couldn't do their work—inexperienced men, perhaps; I thought I could avoid that by estab-

lishing a school down there at the factory, and I have established it; there new men will be taught to do the work, with no task required, and they will not be put on the regular class and assigned a task until they have reached that task that the other prisoners are doing.

Q. In other words, they will serve an apprenticeship? A. Yes, sir; I thought that would have a beneficial effect, and I have adopted that plan; when one of the old hands is discharged by expiration of sentence, I draft from the school to take his place and not take on a new man.

Q. How long have you had that in operation? A. Started it this week.

Q. You can hardly tell yet how it is going to work? A. No, sir; then I have in view, and have consulted with my officers as to the propriety of it, on every pleasant day as soon as spring arrives of taking on one day of the week the lower floor of the factory at a certain hour that day when they can have all finished their work, and letting these men out to exercise on the ground; give them an hour or two in the fresh air; the following day I will take the next floor, and the third day take the top floor of the factory; that will give each floor two days a week in the yard to exercise after they have completed their day's work; and there is no man in the factory who can not do his task by 4 o'clock in the afternoon; some of the men get through now at 11 and 12.

Q. Then you would make that an inducement for the men to get their work done properly and well and on time? A. Yes, sir; and also, on consultation with the doctor, I am led to believe it will have a beneficial effect on their health by giving them exercise outdoors.

Q. Have you ever thought of a military drill? A. I have thought of it in this connection: I propose, as soon as we are completed here, organizing a fire department; I have asked for an appropriation for a hose cart; I have a hose; possibly we may get a hook and truck; we haven't a ladder on the ground; we could organize a fire department, and drill the men thoroughly at it, and use the military drill in connection with that.

Thomas McCormick, duly sworn, says:

Q. Where did you live before you were appointed keeper here? A. Lansingburgh; I worked on the railroad as a conductor.

Q. Have you ever had any experience in prison life before you were appointed? A. No, sir.

Q. On whose recommendation were you appointed? A. Hon. Edward Murphy.

Q. How long before you got your appointment was it promised you? A. It was about a week.

Q. What are your politics? A. I am a Democrat.

Q. Have you ever rendered any political service to Mr. Murphy? A. No, sir; none whatever.

Q. Who suggested that you could get an appointment here? A. Myself.

Q. How long have you known Mr. Murphy? A. I don't know Mr. Murphy, except to know him by sight.

Q. Have you ever had any conversation with Mr. Murphy about your appointment here? A. No, sir.

Q. Did anybody write any letters for you to Mr. Murphy, asking him for your appointment? A. No, sir; I had a gentleman go to him.

Q. Who was that? A. Mr. Cavanagh; keeps a cigar store in Congress street, in Troy.

Q. Have you ever rendered any political service to Mr. Cavanagh? A. No, sir.

Q. Have you any position in any political club? A. No, sir; don't belong to any at all.

Q. What kind of an examination were you put through in getting your appointment here? A. Not any.

Q. Was it intimated to you that you would be obliged to undergo an examination? A. No, sir.

Q. Have you ever held any employment under the State before? A. Not for the State; I have for the United States.

Q. What appointment? A. In the government printing office.

Q. What is your trade? A. I first learned stove mounting.

Q. Do you belong to any trades union? A. No, sir.

Q. What did you do in the government printing office?  
A. Worked in the stereotype department.

Q. What instructions did you receive from the warden here as to your duties? A. To go on relief duty.

Q. Are you employed every day at the prison? A. Every day.

Q. What are your habits in regard to the use of intoxicating liquors? A. I don't use them to excess.

Q. Do you use them at all? A. Yes, sir.

Q. What are your habits in regard to the use of profane language? A. I don't use any.

Q. Have you ever sworn at a prisoner since you have been here?  
A. No, sir.

Q. Have you ever heard any other officer do so? A. No, sir; I haven't been here long.

Q. How long have you been here? A. Since the eighth of February last.

John Macksey, duly sworn:

Q. What is your age? A. Twenty-three.

Q. How long since you were appointed keeper in Clinton prison? A. Fifth of February last.

Q. Where did you reside before you received the appointment?  
A. Norwich.

Q. On whose recommendation were you appointed? A. That of General Austin Lathrop.

Q. Who recommended you to Mr. Lathrop? A. Mr. Babcock; he sells pianos and organs in Norwich.

Q. What are your politics? A. Democrat.

Q. What are Mr. Babcock's politics? A. Democrat.

Q. Were you appointed as a reward for political services? A. No, sir.

Q. Have you ever rendered any political service to Mr. Babcock? A. No, sir.

Q. Did you vote at the last election? A. Yes, sir.

Q. Do you belong to any political club? A. No, sir.

Q. Who suggested to you that you could get the appointment?

A. I asked Mr. Babcock.

Q. Is he a personal friend of yours? A. No, sir.

Q. Why did you ask Mr. Babcock? A. I wanted a position and thought I would try to get one.

Q. What claim did you think you had on Mr. Babcock to help you to get this position? A. Not any.

Q. Do you know of any other man applying to Mr. Babcock for a position? A. No, sir; I do not.

Q. Did you expect to get the position on account of your political affiliations? A. No, sir; I did not.

Q. What recommendation had you besides Mr. Babcock's? A. That is all.

Q. What are your habits as to the use of intoxicating liquors? A. I don't use them.

Q. What is your duty in the prison? A. Guard.

Q. What instructions did you receive on taking your position—who told you what your duties were? A. The warden.

Q. What did he tell you they were? A. That I would have to go on relief; take care of the prisoners.

Q. How often do you go on relief? A. Every day.

Q. Have you heard any profane language used since you have been here? A. No, sir.

Q. Have you seen any keeper or guard intoxicated? A. No, sir.

Q. Do you live inside or outside? A. Outside.

Q. Have you seen any guards or keepers of the prison under the influence of liquor outside of the prison? A. No, sir.

Q. What part, if any, besides being a voter, did you take in the last election in your town? A. Not any.

John Wood, being duly sworn, says:

Q. What is your age? A. Thirty-three years.

Q. How long have you been a keeper in this prison? A. Six weeks ago.

Q. Keeper or guard? A. Guard.

Q. What was your residence before your appointment? A. Buffalo, N. Y.

Q. What was your politics? A. Democrat.

Q. On whose recommendation did you receive your appointment?  
A. Lieutenant-Governor Sheehan.

Q. How long before you received your appointment did you apply to him? A. About a week.

Q. Did you know him for a considerable time before that? A. I was born and raised in the same ward with him.

Q. Did he promise you any reward or appointment for political services? A. No, sir.

Q. What political service did you render in the last campaign?  
A. Didn't render any whatever.

Q. Did you ask for an appointment on political grounds? A. No, sir.

Q. Did you expect to get it on account of any political service you had rendered at any time to the party? A. No, sir.

Q. What are your habits as to the use of intoxicating liquor?  
A. Don't drink any.

Q. As to swearing? A. I don't swear, except very seldom.

Q. Have you ever heard any one swear at prisoners in this prison? A. No, sir.

James Jennings, sworn:

Q. How old are you? A. Thirty-seven.

Q. What is your position here? A. Guard.

Q. How long have you been in that position? A. Three months.

Q. Where was your residence? A. Corning.

Q. On whose recommendation were you appointed? A. The superintendent, General Lathrop.

Q. What are your politics? A. Democrat.

Q. What services have you rendered to the Democratic party that made you think you would get an appointment here? A. None any.

Q. Did you vote at the last election? A. Yes, sir.

Q. Are you a member of a political club? A. No, sir.

Q. Have you had any prison experience before? A. No, sir.

Q. How long before your appointment did you apply for it? A. About a year.

Q. Was it promised you then? A. No, sir.

Q. Had you any reason to believe that you would receive the appointment on account of any political service you ever rendered? A. No, sir.

Q. What was your occupation before you were appointed? A. News agent at Corning.

Q. What are your duties here? A. Guard.

Q. Do you drink intoxicating liquors? A. Occasionally.

Q. What are the rules of the prison as to the use of intoxicating liquors? A. That we must not drink.

Q. Do those rules apply to people outside or inside? A. Both.

Q. What are your habits as to the use of profane language?  
A. Don't use any.

Q. Have you ever heard any used at prisoners while you have been here by keepers or guards? A. No, sir.

Q. What are your duties? A. I am in the potato cellar sorting potatoes.

Q. That is your regular employment? A. That has been for the last six weeks or two months.

Q. How many men working under you? A. Six.

Q. Have you reported any of them for not doing their work?  
A. No, sir.

Q. Any of them punished while under you? A. No, sir.

Thomas F. Ormsby, sworn:

Q. Where do you reside? A. Troy, N. Y.

Q. How long have you been a keeper in this prison? A. Came here last Friday.

Q. On whose recommendation did you receive your appointment? A. I didn't have anybody recommend me; I wrote to Mr. Thayer; I was acquainted with him when he was foreman in the Troy Press office.

Q. What are your politics? A. I have always been a Democrat.

Q. What special political services have you ever rendered to Mr. Thayer that made you think you could get an appointment here? A. Not any at all; I have always been a Democrat and voted the Democratic ticket.

- Q. Was any position promised you at any time? A. No, sir.
- Q. Did you have any other recommendation? A. No, sir.
- Q. Mr. Thayer had known you for some time? A. Yes, sir.
- Q. Do you know Mr. Murphy? A. Not personally.
- Q. Are you a member of any political club? A. No, sir; the only organization I belong to is the molders' union and fire department.
- Q. How long had you been employed under Mr. Thayer before you came here? A. Never; I am a molder by trade.
- Q. How long have you known Mr. Thayer? A. Known him four or five years.
- Q. What are your habits as to the use of intoxicating liquors? A. I take a glass of ale once in a while, but not to get intoxicated.
- Q. What are the rules of the prison in regard to the use of intoxicating liquors? A. They are strictly forbidden.
- Q. Does that apply to the outside as well as inside? A. I believe it does.
- Q. Then in taking intoxicating liquors outside the prison you are breaking the rules? A. I have not touched any since I read the regulations.
- Q. How about profane language? A. I don't use much of that.
- Q. Have you heard any profane language used at prisoners since you were here? A. No, sir.
- Q. What are your duties? A. I am an extra guard; relief guard.

Edward W. Crum, duly sworn:

- Q. What is your residence? A. Lyon Mountain.
- Q. How long since you received your appointment in this prison? A. About two months.
- Q. What are your duties here? A. Relief guard.
- Q. On whose recommendation did you receive your appointment? A. Couldn't tell you.
- Q. How did you get it? A. Applied to Mr. Thayer.
- Q. What are your politics? A. Democrat.

- Q. Did you make your application on the strength of any political services you had rendered? A. No, sir.
- Q. Did you expect to get an appointment on account of any political service? A. No, sir; I made application at this office to Mr. Thayer.
- Q. What recommendations did you bring? A. Couldn't tell you.
- Q. Did you have any recommendations? A. Not that I know of.
- Q. Were you known to Mr. Thayer? A. Yes, sir; and to Mr. James P. Cunningham, who keeps a store here in the village.
- Q. What are Mr. Cunningham's politics? A. Democratic.
- Q. What reason did Mr. Cunningham give you for thinking that you would get the position? A. I thought I wasn't making a decent living at the mountain, and thought I might do better here if I could get in.
- Q. You asked Mr. Cunningham to recommend you? A. No, sir; he came in with me and made me acquainted with Mr. Thayer, and I asked him for the position.
- Q. Do you belong to any political organization? A. No, sir; I joined a political club here last week, the Jeffersonian; I signed for it, but don't know whether I am a member or not.
- Q. What are your habits in regard to the use of intoxicating liquors? A. I do sometimes take a drink of whisky or beer.
- Q. Have you taken any since you have been appointed to this position? A. No, sir.
- Q. Either outside or inside? A. No, sir.
- Q. What are your habits as to swearing? A. I never do.
- Albert Thayer, duly sworn:
- Q. Where do you reside? A. Gloversville.
- Q. When were you appointed? A. March seventh.
- Q. What relation are you to the warden? A. Brother.
- Q. What are your politics? A. Democratic.
- Q. On whose recommendation did you get your appointment? A. Nobody's; I wanted a job and I wrote him and he gave it to me.

Q. What had been your employment before that? A. Running a sewing machine.

Q. What are your habits regarding the use of intoxicating liquors? A. I don't use any.

James Moon, sworn:

Q. How long have you been an officer of this prison? A. I commenced duty the first day of February, 1876; I was keeper.

Q. Since you have been an officer of this prison have you known any men to be appointed as officers or guards on political grounds? A. They were all appointed on those grounds at that time; I was appointed on political grounds.

Q. Have you known of any such appointments since the law of 1889 — the present Prison Law? A. Not to my knowledge.

Q. You have been here and have had an opportunity to observe the conduct of the keepers appointed under Mr. Thayer? A. Yes, sir; been here pretty much all the time except about three weeks in January when I was sick; then I was absent last week all week; all the rest of the time I have been at the prison.

Q. Will you tell me your opinion as to the efficiency of Thomas McCormick? A. Well, sir, I should think that he would make a rather good prison officer; appears to be a bright, active, intelligent fellow and quiet.

Q. And John Woods? A. I have seen nothing out of the way with him; appears to be of good habits.

Q. And Guards Macksey, Jennings, Thayer, Crum and Ormsby? A. They are all pretty nice sort of fellows.

Q. Have any of those men been known to you to have broken any point of discipline? A. Not intentionally; they might make some mistakes at the start; new officers will sometimes.

Q. What are your politics? A. Democratic.

Q. There is a public rumor that you have sent in your resignation? A. Well, there might be some truth in that (this is not to be made public).

Q. Was any pressure brought to bear on you to get you to make your resignation? A. No, sir; it was of my own free will, on account of my health mostly.

Q. Are you in perfect political affiliation with the warden here? A. Yes, sir; for anything that I know of, all friendly and all right.

Q. Do you know of any men that have been removed on account of their political affiliations? A. I do not.

Q. Or been lowered in their standing as officers in any way since Mr. Thayer came here? A. No, sir; I do not.

Q. Do you know of the investigation made by the commission appointed to investigate Clinton prison in 1891? A. Yes, sir; I know it very well.

Q. Do you know whether the recommendations of that commission have all been complied with? A. Well, I don't know as they have as yet.

Q. Was the first recommendation as to the dismissal of keepers complied with? A. Some of them are here that were recommended to be discharged.

Q. What punishments are in vogue here now? A. Nothing but solitary confinement and taking off short time.

Q. What changes have been made in the labor of the prison under the present warden? A. I don't know as there has been any that amount to much; I believe they have commenced to make ladies' waists and boys' waists; they are making scoops too; he has one or two more industries under consideration.

Q. The seventh recommendation of the commission provides that the warden should provide ample means for the convicts to communicate their complaints to him? A. That has been complied with strictly.

Q. Has the warden established a box for complaints or anything of that kind? A. No, sir; hasn't established any box.

Q. Do you know of any case where a convict has tried to get access to the warden and could not do so? A. No, sir; we interviewed fifty last Sunday.

Q. Does he appoint a regular time for those interviews? A. He has different days whenever his other duties will allow him spare time; if he has no time during the week he hears them on Sunday.

Q. You are familiar with the Prison Law of the State, are you? A. I used to be more so than I am now; this law I don't know so much about; I have read the present law.

Q. Have you seen a disposition on the part of the present administration to comply with its provisions? A. Yes, sir; I have.

Q. What is your opinion of the discipline and order of the prison now compared with its condition four months ago? A. Well, I don't know as there is much difference; I couldn't say as there was; the discipline has been run down since we had the fire and when the investigation started off it ran down still further; our discipline is not up to the standard it was a year or two ago.

Q. Do you know the chaplain of this prison, Mr. Grant, well? A. Yes, sir.

Q. Have you heard that his resignation has been tendered? A. Yes, sir.

Q. Have you heard any rumor that his resignation was asked for? A. Yes, sir; I heard so.

Q. Have you heard that it was asked on political grounds? A. No, sir.

Q. What grounds have you heard it was asked upon? A. Can't say what it was asked upon; I didn't hear the reasons, only that he was asked to resign.

Q. What is the proportion of punishment now compared with the old system? A. We have not punished quite so much.

Q. How many have you punished for failure in work? A. Not but a very few.

Q. Have you punished any for failure in work? A. I couldn't say whether I have or not; seems to me I have; I think I have punished one or two.

Q. What proportion of the men in the prison are working now? A. I should say there was about half of the men—about 400.

Horace L. Grant, duly sworn:

Q. What is your position in this prison? A. Chaplain.

Q. How long have you been chaplain? A. I was appointed by the superintendent the 1st of January, 1890.

Q. There is a public rumor that your resignation has been tendered as chaplain? A. That is true.

Q. What are your politics? A. Democrat from away back.

Q. On whose recommendation were you appointed? A. On the recommendation of my friends in the counties of Washington, Montgomery, Clinton and Essex.

Q. Were you appointed on the ground of any political service you rendered? A. No, sir; not that I know of; Mr. Weed was my schoolmate friend, and he was a prominent person in the request for my appointment.

Q. He was the most prominent? A. I think very likely on account of his influence.

Q. You relied more on Mr. Weed's influence than on any other? A. Yes, sir.

Q. When does your resignation take effect? A. The fifteenth of April.

Q. Will you state the circumstances under which your resignation was made? A. Mr. Thayer, the warden of the prison, called on me on the fourth of March; of course, there was nothing written, and I trust to my memory of the conversation; I was preparing to go to New York to purchase some books for the library here, and I had set the date of the seventh of March as the day I should go down; the warden came up from Albany on a Friday morning, the 4th of March, I think; he came and saw and said he was desired, through the superintendent, to ask for my resignation to take effect the fifteenth of April, or between the fifteenth of April and the first of May, I think it was; it was a verbal request delivered by the warden that my resignation be tendered to take effect between the fifteenth of April and the first of May; and accordingly that very day I mailed my resignation.

Q. Were you made to understand in that conversation that it was on political grounds that that was done? A. No, sir; Mr. Thayer was kind enough to express his personal sympathy and regard, and so, through Mr. Thayer, that of the superintendent himself; it was not on personal grounds.

Q. Do you believe your resignation to have been asked for on political grounds? A. No, sir; it could not have been so; I

was in accord with the administration and did all in my power to effect the election of Mr. Flower as Governor, and I certainly was in accord with our Senator, Mr. Hill, and the party generally; Mr. Weed is my personal friend—we were schoolboys together, yet I am a man of sufficient brains to put my party above a man in such a matter; if you want my opinion, I think simply that the man who is to succeed me is a man who has a "pull" somewhere that secured him the place; I simply think that he had a greater political pull than I had, which enabled him to take the position.

Q. What is the name of your successor? A. His name is Anson Cheseman, of Madison county.

Q. Do you know what his politics are? A. I do not; no, sir.

P. H. Cooney, sworn.

Q. Where do you reside? A. Malone.

Q. How long have you been an officer in this prison? A. Since the sixth of January.

Q. What is your position here? A. Guard.

Q. What are your politics? A. Democrat.

Q. How did you receive your appointment? A. Through Mr. John Keely, of Malone; he wished me if I would take the place if I could get it and I was out of a job at the time and I told him I would; I had been working on the railroad and had been laid off with some others; he said, "Maybe there will be a vacancy and I will get you appointed."

Q. Do you know Mr. Keely's politics? A. I think he is a Democrat.

Q. Had you rendered any political service to Mr. Keely that made him promise you that? A. No, sir.

Q. Did you promise him any political service in any way? A. No, sir.

Q. You consider yourself perfectly unbound so far as that is concerned? A. Yes, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. Don't use them.

Q. How about swearing? A. I don't make a practice of it.

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Q. Have you heard any profanity used in the presence of convicts since you have been here? A. No, sir; I can't say that I have.

P. H. Dugan, duly sworn:

Q. How long have you been an officer of this prison? A. Three years the third day of April.

Q. Where was your residence before you came here? A. Whitehall, Washington county.

Q. What are your politics? A. Democratic.

Q. On whose recommendation were you appointed here? A. Well, John W. Whalon, Sylvester Mahan, James H. Shanahan, John Turner.

Q. Was your appointment made as a reward for political services in any way? A. No, sir.

Q. Was it held out to you that the appointment was because you had rendered such services in the past? A. No, sir; they asked me if I wanted to go to Dannemora, and I said I did; that was all there was about it.

Q. What relation did you sustain to these men in the last election; did you take an active part in politics? A. No, sir; I was in the yard doing duty all day.

Q. And the election before that? A. The election before that I had to go home to vote; I was no voter here.

Q. Are you a member of any political organization besides the party itself? A. I belong to the Jeffersonian Club here; nothing outside of that; I belong to the Burleigh corps in Whitehall—State militia.

Q. What are your duties here? A. Little of everything; been on the wall for about two years, been on the gate for a while.

Q. Has any pressure ever been brought to bear on you in a political way since you have been here? A. No, sir; not at all.

Joseph F. Nash, sworn:

Q. What is your occupation? A. Prison officer.

Q. What was your residence and business before you became a prison officer? A. I was a farmer two miles from here.



Q. By whom were you appointed, Mr. Nash? A. I was appointed under Superintendent Pilsbury.

Q. What are your politics? A. Republican; I was appointed in February, 1881.

Q. Mr. Nash, have you known of any appointment being made here, or heard of any being made as a reward for political services under the present or late administration? A. No, sir.

Q. What instructions have been given to you regarding the use of intoxicating liquors, etc., under the present warden? A. We are strictly forbidden the use of intoxicating liquors of any kind under penalty of removal.

Q. Has that prohibition been carried out and observed by the officers? A. As near as I can find out it has.

Q. In your opinion, for the past few months, how does the present administration compare with the old for discipline? A. As far as I can see there is some improvement in the discipline.

Q. Do you think there is a better spirit of content than there was? A. Yes; I think there will be after things get settled.

G. W. Storrs, sworn:

Q. What is your present position in the prison? A. Guard.

Q. When did you receive your appointment? A. About two years ago.

Q. How did you happen to get the appointment? A. I got it through Mr. Fuller.

Q. To whom did you apply for it? A. To Mr. Fuller.

Q. What recommendations did you have for the appointment? A. Mr. Weed.

Q. Did you consider your appointment a reward for political services? A. No, sir.

Q. What are your politics? A. Democratic.

Morgan Van Gorder, duly sworn:

Q. What is your position here? A. I am keeper now.

Q. You have been promoted under the present administration? A. Yes, sir.

Q. You have been a guard here for some time? A. Nearly six years.

Q. What are your politics? A. Democratic.

Joseph Robarge, sworn:

Q. What is your position here? A. Keeper.

Q. How long have you been keeper? A. Since the fourth day of January.

Q. What was your position before that? A. Guard.

Q. When were you appointed guard? A. I was appointed guard in 1888.

Q. What are your politics? A. Democratic.

John W. O'Leary, duly sworn:

Q. What is your position here? A. Guard.

Q. When did you receive your appointment? A. The 24th of March, 1889.

Q. What are your politics? A. Democrat.

Fred Glazier, duly sworn:

Q. What is your position? A. Guard in the hospital.

Q. How long have you held that position? A. I think I went there the twentieth of January, this year.

Q. You were appointed by the present warden, Mr. Thayer? A. Yes, sir.

Q. How did you receive your appointment? A. I had a farm in Lewis county, and I let it and was looking out for some job.

Q. What are your politics? A. Democratic.

Q. Who suggested this place to you? A. I was sent here by David B. Hill.

Q. Did you apply to the Governor for the position? A. I did not; no, sir.

Q. Did anybody apply for you? A. I suppose so.

Q. Who applied for you? A. Mr. G. H. P. Gould.

Q. Was your appointment made as a reward for political services? A. No, sir.

Q. What examination did you undergo for the position as guard here? A. Not any.

Q. Have you undergone any examination since you came here? A. No, sir.

Q. What qualification did you urge for your appointment? A. Not any.

Q. What are Mr. Gould's politics? A. Democratic.

Q. Did you go to him because he was a Democrat? A. Not particularly; I was acquainted with him; had known him for a number of years.

Q. Did you render any political service in recent campaigns that made you think you could get a place under this administration? A. Not particularly that I know of; I have always voted my ticket.

Q. You did not in any sense consider your appointment a reward for political services? A. No, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. I don't use them.

Q. How about swearing? A. I once in a while swear.

Q. Do you swear at convicts sometimes? A. I try not to; I don't know of any instance where I have.

Q. Have you heard any swearing at convicts here? A. I don't remember of any.

John Dormer, duly sworn:

Q. What is your position in this prison? A. Keeper.

Q. What is your former residence? A. Corning.

Q. When did you receive your appointment? A. I think it was in October, 1889.

Q. In what way did you receive it? A. Through General Lathrop.

Q. What are your politics? A. Democrat.

Q. Did you receive your appointment as a reward for political services in any way? A. Not that I know of.

Q. Who gave you a recommendation to General Lathrop? A. He has known me all my life.

Henry W. Burnham, sworn:

Q. What is your position here? A. Keeper.

Q. Where did you reside before coming here? A. In the village of Saranac, in this county.

Q. How did you happen to get appointed? A. A friend came here and saw Warden Fuller and got me the appointment.

Q. What are your politics? A. I am a Democrat.

Q. Did you get your reward for political services in any way? A. No, sir; I applied to Mr. Riley and passed a civil service examination.

Q. Was the question asked you whether you were a Republican or a Democrat when you were appointed? A. No, sir.

Q. Was the gentleman who recommended you a Republican or a Democrat? A. A Democrat.

Q. Do you think he recommended you as reward for political services in any way? A. No, sir; I have no reason to think that.

Q. Was he an old friend of yours? A. Yes, sir.

J. Frank Keenan, sworn:

Q. What is your position here? A. Keeper.

Q. Where do you reside? A. In the village here.

Q. How long ago is it since you received your first appointment in this prison? A. Four years ago last July.

Q. What are your politics? A. Democratic.

Cornelius Johnson, sworn:

Q. What is your position here? A. Guard.

Q. How long since you received your appointment? A. A year ago the twenty-fifth of April.

Q. Where did you reside before you came here? A. Troy.

Q. How did you happen to get your appointment here? A. I was recommended by Mr. Murphy.

Q. Are you a Democrat or a Republican? A. Democrat.

Q. Who suggested the appointment to you? A. I applied for it to a friend of mine in Troy. (Names Thomas Kelly, a Democrat.)

Q. What was your occupation before you came here? A. A shoecenter.

Q. Did you make application on the ground of political services? A. No, sir.

Q. Had you any reason to believe that your place was given you as a reward for political services? A. No, sir.

Q. Did Mr. Murphy give you a letter to Superintendent Lathrop? A. No, sir; he did not; he gave me a letter to Mr. Fuller.

Q. Did that letter state anything about your politics? A. No, sir; not a word; he recommended me as sober and industrious, and that he could rely on me.

Q. How long had he actually known you? A. I went to school with him; brought up with him.

Q. What are your habits in regard to the use of intoxicating liquors? A. Don't touch anything at all; haven't for a long time.

Q. Have you ever sworn at a prisoner here? A. No, sir; never.

Q. Have you ever heard anyone swear at a convict here? A. I don't remember of any such cases.

Q. Have you witnessed any cases of punishment since you came here? A. Yes, sir; same as I swore to on the investigation; my testimony is in the report of the commission.

Daniel Behan, sworn:

Q. What is your position here, Mr. Behan? A. Guard.

Q. Where did you reside before you were appointed? A. Plattsburgh.

Q. What was your occupation before you were appointed? A. Farmer; appointed eight or nine months ago.

Q. On whose recommendation were you appointed guard? A. I was appointed under Mr. Fuller; recommended by Mr. Weed and others.

Q. Were you appointed as a reward for political services? A. I think I was.

Q. What are your habits regarding the use of intoxicating liquors? A. Very seldom use them.

Q. Have you used any intoxicating liquors since the new order went out? A. No, sir.

Q. Have you ever sworn or heard any swearing in the presence of convicts? A. No, sir.

Q. Have you seen any punishments since the investigation? A. The dark cellar only.

John L. Marsden, sworn:

Q. Where did you reside before you were appointed here? A. Schenectady, N. Y.

Q. Your position is that of a guard here? A. I was at that time; have been promoted.

Q. When did you receive your appointment? A. In November, 1889.

Q. Who recommended you for the appointment? A. The Hon. Edward Wemple.

Q. What are your politics? A. Democratic.

Q. What was your occupation before appointment? A. Boiler maker.

Q. Was your appointment made as a reward for political services? A. Not that I know of.

Q. Did you personally know Mr. Wemple? A. Yes, sir.

Q. Have you known him for a long time? A. Yes, sir.

Q. Had you rendered him any political service? A. Not any more than I had others on the same ticket by my vote.

Q. Did you make application on the ground of being a Democrat? A. No, sir; I did not.

Q. What made you think you were peculiarly fitted for a position here? A. Because I had previous experience at Sing Sing in the same position; I was five years there.

J. H. Laper, sworn:

Q. What is your position here? A. Guard.

Q. When appointed? A. Last September; I spoke to the warden.

Q. When did you begin service here? A. Seventeen months ago the sixth of next month.

Q. What was your occupation before you came here? A. Bricklayer.

Q. What are your politics? A. Democrat.

Q. What is your residence? A. Ellenburgh, Clinton county.

Q. Who recommended you for the position of guard here? A. The principal men in Cherubusco, and the principal men in Ellenburgh.

Q. You had Mr. Weed's recommendation? A. Yes, sir.

Q. Did you consider your appointment as a reward for political service? A. No, sir; I don't think it was; my father is a Democrat; he is a farmer.

Q. Has he been rendering any special political services as a Democrat? A. Not that I know of.

Q. What are your habits as to the use of intoxicating liquors? A. I don't use them.

Q. Have you received any instructions on that point from the warden of the prison? A. Yes, sir.

Mr. J. H. North, sworn:

Q. What is your position here? A. Guard.

Q. When did you receive your appointment? A. I think last September.

Q. Where did you live before you came here? A. Chazy.

Q. What are your politics? A. Strictly Democratic.

Q. How did you get your appointment? A. Through Mr. S. M. Weed.

Q. In what way did you get it through Mr. Weed? A. I can't say as to that, only being recommended by him.

Q. Had you known Mr. Weed for a long time personally? A. Yes, sir.

Q. Did you receive your appointment as a reward for political services? A. No, sir.

Q. Did Mr. Weed know you to be a Democrat? A. Certainly.

Q. Was the question put to you when you were appointed whether you was a Democrat or Republican? A. No, sir.

Q. Did he know you to be a Democrat? A. I think he did.

Q. What are your habits as to the use of intoxicating liquors? A. I am not in the habit of using them.

Q. Have you seen any punishments since you have been here? A. I have seen convicts hung up.

Q. Have you seen any convicts hung up since the investigation? A. No, sir.

James W. Riley, sworn:

Q. What is your position here? A. Guard.

Q. Where did you live before you came here? A. Plattsburgh.

Q. When did you receive your appointment as guard? A. Some time last fall.

Q. What are your politics? A. Democratic.

Q. How did you receive your appointment? A. From Mr. Weed.

Q. Was it promised to you long before you got it? A. No, sir; no length of time at all.

Q. Was any position promised you for political service? A. No, sir.

Q. Do you understand your position to be a reward for political services? A. No, sir.

Q. Had you known Mr. Weed for a long time before that? A. Great many years.

Q. Any political pressure been brought to bear on you since you came here, in any way? A. No, sir.

Q. Have you ever known of a man to be discharged for political reasons here? A. No, sir.

Howard A. Bates, sworn:

Q. Where did you live before you received your appointment? A. West Plattsburgh.

Q. How long since you received your appointment? A. Some time in October last.

Q. What was your occupation before that? A. I was in the United States army before I came here.

Q. In what way did you receive your appointment? A. I made application to the Civil Service Commission.

- Q. Who did you make it through? A. Mr. Feller.  
 Q. Were you examined by the commissioners? A. Yes, sir.  
 Q. What recommendations did you have to Mr. Warden Fuller?  
 A. That of John B. Riley.  
 Q. What are your politics? A. Democratic.  
 Q. Where does Mr. Riley live? A. Flattsburgh.  
 Q. Is Mr. Foley a Weed man? A. I can't say, sir.  
 Q. Are you? A. Well, I don't know any particular difference about that.

Philip Kennedy, sworn:

- I am a guard here; sent here July 1, 1891, sworn in January 1, 1892.  
 Q. Who sent you here? A. Smith M. Weed.  
 Q. What are your politics? A. Democrat.  
 Q. Where did you reside before you came here? A. Saranac.  
 Q. Did you work in the prison between July first and January first? A. Yes, sir.  
 Q. But were not appointed? A. No, sir; the position wasn't opened when I came here.  
 Q. Did you receive pay as guard before you got your formal appointment? A. Yes, sir.  
 Q. Did you have a civil service examination? A. Yes, sir.  
 Q. Where did you have it? A. Dannemora.  
 Q. Who examined you? A. Mr. Nash, Dr. Ransom and Charles Martin.  
 Q. Did you receive a certificate from them of having passed a civil service examination? A. No, sir.  
 Q. What are your habits as to the use of intoxicating liquors?  
 A. I indulge occasionally.  
 Q. Have you indulged since the present wardenship? A. Yes, sir.  
 Q. Have taken any since the new orders were issued here?  
 A. No, sir.  
 Q. What is your habit as to swearing? A. I never swear.  
 Q. What was your occupation before you came here? A. Farmer.

James Foley, sworn:

- I am a guard; I live at Saratoga Springs; was letter carrier at Saratoga Springs before I came here.  
 Q. Through whom did you receive your appointment here? A. Mr. Fuller appointed me.  
 Q. Who recommended you for the position? A. My brother spoke to him.  
 Q. What is his business? A. Lawyer in Saratoga.  
 Q. Did you have a civil service examination? A. No, sir.  
 Q. What are your politics? A. Democrat.  
 Q. What are your habits as to the use of intoxicating liquors?  
 A. I take a drink occasionally.  
 Q. Are you aware of the rule regarding it? A. Yes, sir.  
 Q. Have you observed that rule since it was promulgated? A. Yes.

Patrick Feehan, sworn:

- Q. What is your position here? A. Guard.  
 Q. When appointed? A. Fifteenth of May, 1891.  
 Q. Where did you reside before that? A. Troy, N. Y.  
 Q. What was your occupation before you were appointed? A. Barber.  
 Q. What is your politics? A. I am independent in politics.  
 Q. What ticket did you vote for at the last general election?  
 A. I think I voted for Cleveland.  
 Q. What ticket did you vote at the last gubernatorial election?  
 A. Mr. Flower.  
 Q. How did you get your appointment? A. I wrote for it.  
 Q. Who recommended you? A. I wrote to Mr. Fuller, and Mr. Fuller wrote to Mr. McCormick in Troy.  
 Q. Did you have a civil service examination? A. No, sir.  
 Q. You had no examination whatever? A. Not yet.  
 Q. Did you have any other recommendation beside the one you named? A. No, sir.

John Connolly, sworn:

I am a guard here; appointed first of May last.

Q. What was your residence before that? A. Troy.

Q. What was your occupation? A. Molder.

Q. How did you come to get your position here? A. Mr. Fuller sent after me.

Q. Who recommended you for the place? A. I asked a man named Connolly once if I could get a place here.

Q. What are your politics? A. I am an independent voter.

Q. What ticket did you vote at the last three elections? A. Didn't vote any straight ticket.

Q. What was at the head of the ticket? A. I voted for Flower last fall; I voted for Cleveland at the last presidential election.

Q. Have you ever voted the Republican ticket? A. Yes, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. I take a drink once in a while.

Q. Have you taken any since January first? A. No, sir.

Orlando Manley, sworn:

Q. What is your position here? A. Substitute guard.

Q. How long since you have that position? A. The first of December last.

Q. What was your residence? A. In this town.

Q. What was your occupation? A. Farming.

Q. What are your politics? A. Democrat.

Q. Who recommended you for appointment here? A. I talked with Mr. Moon about coming in here.

Q. Do you consider your position here permanent or temporary? A. Temporary, I suppose; I don't know but I might get a permanent job.

Jerome Gay, sworn:

Q. What is your position here? A. Substitute guard.

Q. Where did you reside before coming here? A. Danaanora.

Q. What was your occupation? A. Clerk and bookkeeper.

Q. When were you appointed substitute? A. The twenty-fourth of last May.

Q. Your politics? A. Democrat.

Q. Who recommended you for appointment here? A. I don't know as anybody did.

Q. Were you ever employed here before? A. Along in '69 and '70 I was here for eighteen months.

Q. What are your habits in regard to the use of intoxicating liquors? A. I drink some, occasionally.

Q. Have you drank any since January first? A. No, sir.

Q. Do you ever swear at prisoners? A. No, sir.

Dr. Julius Ranson, sworn:

Q. What is your position here? A. Physician of Clinton prison.

Q. Where did you reside before you came here? A. I was residing at Altona in this county.

Q. How long have you been a practicing physician? A. Since May 15, 1889.

Q. What are your politics? A. Democratic.

George W. Meader, sworn:

Q. How are you employed here? A. Substitute guard.

Q. Where do you reside? A. Here in Dannemora.

Q. Your occupation previously? A. I am a justice of the peace here; try all the cases, civil and criminal here.

Q. How long since you received your appointment to do substitute duty? A. I don't think I have received any appointment yet; I am employed whenever there is a vacancy for a few days or longer.

Q. What are your politics? A. My principles are Republican; still, I am liberal.

Q. Was it for political reasons you were appointed? A. No, sir.

James I. Hart, sworn:

Q. What is your position here? A. Sergeant of the guard.

Q. When did you receive your appointment? A. The 27th of March, 1882.

Q. Where did you reside before that? A. Plattsburgh.

Q. What was your occupation before that? A. I was post-master and assistant sergeant-at-arms of the Senate.

Q. Your politics? A. Republican.

Q. Did you receive your appointment through political influence? A. Not that I know of.

Q. Have you seen the rule generally observed since January first here in regard to not using any intoxicating liquors? A. Yes, sir.

Q. Have you noticed where it is not observed by anybody? A. No, sir; I have not.

The facts appearing during the investigation undertaken by the special commission, although not unknown to prison reformers, appear in a clearer light than heretofore in its report. They warrant fully the large amount of time and labor that was spent in the investigation—in which the corresponding secretary of the Prison Association bore his part through five long sessions and during the accumulation of 2,800 pages of evidence, and the examination of more than 150 witnesses. The showing is of such importance and indicates such neglect in the enforcement of the Prison Law that the Prison Association has felt warranted in instructing its corresponding secretary to make a very earnest and plain showing of the case—which he has striven to do in the preceding pages—and to protest against further disregard of the Prison Law in the management of the prisons of the State.

The Prison Association has no political affiliations. It makes no demand that the officers of prisons shall belong to either the one or the other of the great parties. It does demand that appointments shall not be made solely because a man belongs to the one or the other, or to this or that faction; but that the qualifications shall be those of ability, character and previous experience. It heartily recommends legislation to this end.

#### FAILURE TO GRADE PRISONS AND PRISONERS.

When the present Prison Law was written it was submitted to penologists in various parts of the State, and of other States, all of whom agreed that the best interests of the State demanded

a graded prison system. This gradation was to be accomplished with reference to the age of the prisoner and his progress in criminality. The intent of the law can not be better shown than by the following quotation:

"95. The Superintendent of State Prisons shall direct the classification of prisoners into three classes or grades, as follows: In the first grade shall be included those appearing to be corrigible or less vicious than the others and likely to observe the laws and to maintain themselves by honest industry after their discharge; in the second grade shall be included those appearing to be incorrigible or more vicious, but so competent to work and so reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labor, or of the labor of those in company with whom they may be employed; in the third grade shall be included those appearing to be incorrigible or so insubordinate or so incompetent otherwise than from temporary ill health as to seriously interfere with the discipline or productiveness of the labor of the prison.

"96. The Superintendent of State Prisons may make rules and regulations for the promotion or reduction of the prisoners from one grade to another, and shall transfer, from time to time, the prisoners in the State prisons from one prison to another with reference to the respective capacities of the several State prisons, or with reference to the health or reformation of the prisoners or with reference to including all prisoners of one grade, as nearly as may be practicable, in one prison, or may direct the separation from each other of the prisoners of different grades, so far as practicable, within each State prison.

"97. The Superintendent of State Prisons shall not, nor shall any other authority whatsoever, make any contract by which the labor or time of any prisoner in the State prisons shall be contracted, let or hired to contractors at a price per day or for other period of time.

"98. The Superintendent of State Prisons shall, so far as practicable, cause all the prisoners in said prisons, who are physically capable thereof, to be employed at hard labor for not to exceed

eight hours of each day, other than Sundays or public holidays; but such hard labor may be either for the purpose of production and profit or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes as hereinafter provided.

"99. The labor of the prisoners of the first grade in each of said prisons shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment, as the primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely, even though no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner. Otherwise, and so far as is consistent with the primary object of the labor of prisoners of the first grade as aforesaid, the labor of such prisoners shall be so directed as to produce the greatest amount and value of useful or salable products.

"100. The labor of prisoners of the second grade in each of said prisons shall be directed primarily to the production of the greatest amount and value of useful and salable products, but secondarily to fitting such prisoners to maintain themselves by honest industry after their discharge from imprisonment, even though their labor be rendered thereby less productive.

"101. The labor of the prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health or the manufacturing without the aid of machinery, of such articles as are needed in the public institutions of the State, or such other manual labor as the Superintendent of State Prisons shall direct, which shall not compete with free labor."

This portion of the law seems to have been almost wholly disregarded.

#### COUNTY JAILS.

The various county committees of the Prison Association of New York have done their work, as usual, and have, when asked to do so, made very special examinations of the jails of their respective counties. The corresponding secretary has visited many of the jails with a view to effecting their improvement. It is not

thought best to make a full report of the county committees, as their reports cover the same ground as on previous years, and there are few changes worth noting. The jails are not quite so bad as they used to be, but still they are an atrocious system of crime schools, supported at the public expense, and centers of political corruption in almost every county. Within the last two or three years new jails have been erected in several counties, as indicated heretofore.

The jail at Plattsburgh is one of these. It is, as far as construction goes, an admirable jail; so far as arrangement goes, a bad one. It is inadequately provided for the separation of young and old offenders, and the following extracts from the notes of the corresponding secretary, who visited the jail on September 1, 1891, in company with Rev. F. B. Hall and Henry H. Orvis, will indicate how far even the new jails are from the ideal lock-up.

Closest and wash bowl in each cell; closet flushed by tilting seats. Cell, six feet by eight feet; two bunks in each, swinging on chains and iron frames. Ten cells below, and above a dark cell. Closet and bath-room was not clean; an odor perceptible throughout the jail.

John Doe, sworn:

Age, 16; sent here May 30, 1891; waiting for Court of Sessions in November; parents living; never arrested before; never in any institution; has been drunk; used tobacco for five years; never worked; father dead seven years; father was intemperate; mother living and temperate; always attended Protestant Sunday school; alone in the cell; out in corridor from 9 to 4; heard repeated swearing; learned to play cards while here; learned more obscene stories while here than in all his life before; speaks of good food; two meals a day, bread and meat, 9 o'clock and 4; bedding not been washed; bugs and lice sometimes; furnished with insect powder from time to time.

Richard Roe, sworn:

Age, 15; in jail for stealing; been arrested before; good feed, but does not always get enough of it; been in a month.



Book of records identified by W. D. McCann, sworn:

Records not kept as to fines, age, country, color, social relations, education, trade or occupations; has been keeper since June 23, 1896; appointed by Sheriff White; no civil service examination; sees that the jail is kept properly and prisoners fed; never had instructions as to keeping records; prescribed the diet as ordered by Mr. White, the sheriff; allows daily newspapers and "Police News;" prisoners allowed to send out to buy things; never receives presents, though has been offered them; board of prisoners sixty cents a day; blotter and daily accounts of prisoners identified by witness and one entry as follows noted:

Solomon, eleventh August.

Charges:

Locking .....	\$0.38
Arraigning .....	1 50
Fischgang .....	38
Two days' board .....	1 20
	<hr/>
	\$3 46

A man brought in at 11 at night and released to go before recorder in the morning is charged two days' board. Evidence read to witness and left uncorrected.

From these minutes it will be seen that this jail is a school of contamination kept at an enormous expense and with every disposition on the part of the sheriff to make the most of his office from a monetary standpoint, with very little regard for the moral welfare of the prisoners. An able-bodied drunkard living without labor in the county jail costs the county for sustenance alone four dollars and twenty cents a week. The sheriff is provided with a place to keep him—for which he pays no rent—provided with heating and light and fees for attendance. These bring the cost to the county up to fully six dollars a week for the board of every vagrant and drunkard in the county jail. Near by, perhaps, is a poor widow with one or two children to support

and clothe, who keeps a mechanics' boarding house, receives from three dollars and fifty cents to four dollars a week for board, pays rent, pays for fuel, pays for lights and makes money enough to send her children to school and support herself respectably. Such a system as our county jail is an atrocious and demoralizing robbery of the State. In but two of our jails is there any effort at systematic labor. One of these is Oneida county, where there is a yard for breaking stone; the other is Chemung county, where the men also break stone, being marched through the streets in a chain-gang to a yard at some distance from the jail. In two or three of the counties the corresponding secretary has found unusually atrocious county jails, but the board of supervisors have shown an intention of remedying them. Their condition will be followed up closely and the abuses found in them remedied if it is possible to bring the remedy about under our very deficient laws for jails. The remedy really called for is to sweep the county jail out of existence altogether, except as a house of detention for witnesses and for those awaiting trial. This must, sooner or later, be done, and in the meanwhile as a measure of protection against factional corruption in the control of the jails a law should be passed fixing the fees to be paid to sheriffs and the amount to be paid for the board of prisoners, or the office of sheriff should be made a salaried one, and the prisoners boarded on the public account.

#### STATE REFORMATORY.

The work of looking after paroled prisoners; paroled from the State Reformatory to the city of New York, has been in charge of Mr. D. E. Kimball, as heretofore, acting for the association. Since the last report 313 have been paroled to this office. They make monthly reports and the circumstances of their lives are carefully investigated and noted as the cases may seem to require. Situations have been provided for a good number that they might secure their release by having them, and the results of the work in this department have justified the expectations held by the association in their effort for the establishment of a

reformatory in 1876. The association looks with dismay upon the latest increased census of the reformatory, now numbering over 1,000 prisoners, when the best penologists, including Mr. Brockway himself, are on record as believing that a prison can not be compared with the highest reformatory results if the census includes more than 600 men. There is plainly the need of a new reformatory prison for men in this State, as it is generally conceded that the high results now shown at Elmira are only brought about by the strong personality of the superintendent making itself superior to the disadvantage of large numbers.

#### THE BURNHAM INDUSTRIAL FARM.

The Prison Association has permitted its corresponding secretary and its chief clerk, Mr. Kimball, to take an active part in the organization and development of the Burnham Industrial Farm. The presence of young boys in our county jails and penal institutions daily emphasizes the necessity of an institution where youthful offenders or those likely to drift into crime may be taken for treatment — an institution that is not penal in its character. The Burnham Industrial Farm has between seventy and eighty boys, carefully selected from those who are rapidly drifting into criminal lives or were in danger of so drifting. An institution without walls or locks, it puts a moral restraint upon the boys that holds them effectually and produces the highest results in their reformation. Although the Burnham Industrial Farm has been established only since 1887, and under its present management since 1889, it is confidently believed by its projectors and managers that fully ninety per cent of the unruly boys taken there under treatment can be saved. Hundreds of boys are examined at the office of the Prison Association and applications are made there for their admission to the farm. Boys paroled from the farm to New York city are carefully looked after from the office of the association.

#### CONFERENCES.

Not the least important features of the work of the Prison Association has been the bringing together of experts in a series of conferences on subjects affecting penological principles and practice. The first of these conferences was on

#### CRIMINAL CHILDREN

And the discussion was opened by the Hon. Elbridge T. Gerry, who presided on the occasion. His opening remarks were as follows:

Gentlemen:—The subject of criminal children is one of the most interesting for the humane to consider. It presents the case of human beings afflicted with moral disease. And the study is, not simply how to cure that disease temporarily, but to eradicate it permanently; not how to temporize with the evil, but how to prevent its recurrence. And in this respect it is necessary to consider first, the cause; second, the trouble itself, and third, the cure. First, as to the cause. I will not waste time in details. A three-fold division will explain it. First, hereditary taint; second, vicious surroundings, including the absence of religious and moral restraint and that ignorance which itself engenders crime; third, sudden yielding to temptation. On the hereditary subject I have but little to say. Our laws for the protection of children furnish such ample means for their preservation, where the parents are convicted of crime, that, in a practical point of view, but little can be added thereto. But when we come to the second point, the question of the moral atmosphere which is the cause of the disease, a wide field is opened at once; and on this I propose to dwell for a brief period. The necessity of devoting almost their entire time to earning the means of subsistence necessarily prevents the parents of the poor from looking after the family, especially if it be a numerous one, with that degree of care and attention which those in better circumstances are able to give. The atmosphere of the tenement house, with its miscellaneous collection of inmates, enables the children of the poor to eat of the tree of knowledge of good and evil without warning of the tempter. This accounts for the ease with which the girls yield to the allurements of dime museums, picnics, "association balls," and too often eventually the brothel; and the boys attracted by the light and warmth and glitter of the corner saloon, there make acquaintances who initiate them in the ways of dishonesty which sooner or later brings them to the police court. The crowded quarters of the tenement house furnish

but little comfort or amusement to the children of the poor. Compelled to seek recreation outside, what wonder is it that those recreations are harmful and their enjoyment deadly. From petty thieving to grand larceny and burglary the step is easy. Unless arrested at the commencement of his career, the boy thief soon becomes incorrigible. Once started on the downward path, the fallen girl becomes irretrievable. And the cause, after all, is the want of proper instruction of the children. They receive no religious instruction practically excepting on Sunday. The education which they get at the public school has but little to do with the moral character, if at all. With the mass of evil surroundings, the only wonder is that they are able to resist evil influences at all. Their parents too often are unsuspecting, frequently act injudiciously and with harshness, fail to retain their children's confidence, and are startled and dismayed when too late they discover what has been done. And it is out of this indifference of parents and this evil atmosphere that the third cause arises, the yielding to temptation. Is it any wonder that when the child is tempted by those of its own age, and where neither the restraining influences of religion nor the warning voice of experience are available, it falls into sin and crime almost as a matter of course. The boy seeks in the games the light, the warmth and the acquaintances which he does not find in his miserable home. The girl, with the promise of dress and of money, coupled with flattery and the natural fondness for admiration, sacrifices herself to her own vanity. All this explains, to some degree, the cause of the disease. But it may be and is increased by the existence of some crying evil, worthy of attention. And of these, first, the herding of children together in prisons and too often in institutions, without any regard to their proficiency in crime, thus enabling the older and more experienced to complete the corruption of their younger associates. It is quite true that the statutes of this State ostensibly cover the evil. But in reality they do not. Our prisons are too often filled with youthful offenders who have access to and converse with older criminals; and even in our best regulated institutions it is

impossible to prevent the poison which one single vicious child will infuse into the minds of hundreds of others. Children are naturally talkative. What one learns it imparts to its associates. There is no poison so venomous as that of vice—none so contagious, none so difficult to destroy. This is one subject worthy of great consideration. It ought to demand immediate legislative action. Another method by which criminal children are stimulated in their evil career is the legal proceeding in court. Treated like any other criminals, they are too frequently allowed while there to associate with those older in crime. Their very presence in court where trials for crime are proceeding enables them to become familiar with facts of which they may have been ignorant. The remedy for this is in the holding of a special session of the court for the disposition of such cases alone. This could easily be done in all our criminal courts, without the incurring of any great expense. Some States, Massachusetts for instance, have gone to the extent of creating a separate child's court, where all offenses committed by or against children are tried. And in this way they are practically kept from association with maturer criminals, or the opportunity of becoming familiar with crimes to them yet unknown. Lastly, as to the cure. It is idle to discharge a man from a hospital until he is able to take care of himself. The child removed from a vicious atmosphere must breathe a purer one long enough to recover from the poison with which it is saturated, else on being discharged from the curative process, the disease will break out again. If the child is to be discharged from an institution merely because its parents find it convenient to have it home, before it is able to resist temptation, relapse is inevitable. Hence the agencies, such as that of the Children's Aid Society, and more lately of other institutions for sending children out in the country where there is an entire change of life and scene and old associations are broken up, produce for more effective results than the simple immuring of a child for a specified period. The effect of the latter is too much like that of the serving of a sentence, whereas on the other hand, as was said by Chief Justice Davis

(Matter of Haller, 12 Hun, 131): "The intention of the law is not to punish such children but to protect and provide for their necessities with tender care." The other methods of perfecting the cure involve also the means of prevention of the disease. The admirable system of boys' clubs, furnishing proper associations, amusement, instruction and recreation to the children of the poor, without expense, and the creation of some such similar societies to interest the girls, either in needlework, music, singing, or the like innocent occupations, will do much to stem the torrent of crime which, owing to the continual increase by importation of our already enormous population, threatens yearly to become more formidable and to menace the safety of the future body politic.

Following Mr. Gerry, there were addresses by representatives of the State Charities Aid, of the Association, of the Charity Organization Society, and a most thrilling address by Mr. Anthony Comstock.

The second conference was on—

#### THE DISCHARGED CONVICT,

The Right Reverend F. D. Huntington presiding, and making an earnest plea that a larger reformatory spirit should be put into our laws governing prisons, and that every measure of discipline should be planned with a view to uplifting the prisoner and fitting him to earn his living when he was again released.

Following Bishop Huntington there was a talk by Michael Dunn, who told the story of his own life, of his own struggle toward reformation, and the struggles that he had made to help others.

#### MICHAEL DUNN.

It certainly can not be amiss, in this connection, to make an expression of the profound sense of loss that all those who are interested in discharged prisoners must feel in the death of Michael Dunn. This noble man, fired with a noble purpose, did a work of beneficence known from one end of the country to the other. He was always a valued counselor and helper to the Prison Association of New York, and during the years that he

carried on the Home for Discharged Prisoners in Houston street, there was never a time that he did not have more or less of the beneficiaries of the Prison Association under his direction and control. He will be greatly missed, but save in his own institution that he has recently established in Brooklyn, nowhere will he be more missed than in the office of this association.

Mr. R. W. Hebbard, of the Charity Organization Society, read the following paper:

When Mr. Round, just after the close of the last interesting and instructive conference, kindly invited me to say a few words at this one, from the standpoint of the Charity Organization Society, in regard to the subject under consideration—"The Discharged Prisoner"—I begged to be excused for the reason that our experience with this class in the community was a very limited one, and that the discharged prisoners, with whom we were at times called upon to deal, were very poor specimens of their kind, being, as a rule, pauper as well as criminal. I believe, Mr. Chairman, that those who have made the study of these two classes a life-work agree that it is much harder to redeem the pauper than to reform the criminal.

For my part, my limited experience with discharged prisoners has led me to believe that, in this community at least, they have, as compared to the opportunities of their fellow men who have never been in prison, a very fair chance to succeed if they are determined to lead industrious and honest lives.

How they shall get along after their discharge, depends, it seems to me, very much upon themselves; they may, if they choose, as England's greatest living poet says:

"Rise on stepping stones  
Of their dead selves to higher things."

In this community I have noticed that discharged prisoners are treated with a rare degree of kindness and consideration. I think New York has said officially that she has no grave objections to discharged prisoners, but that, on the contrary, any position of influence in this municipality that they can win is open to them.

New Yorkers are extremely good natured and careless in their dealings with fallen humanity. I know of one of our brightest lawyers who is a member of a law firm which has for years guarded well the interests of the greatest corporations in this country.

One night a discharged prisoner rang this gentleman's door bell and sent in by the servant an appeal for aid. He was invited to enter and questioned, and the gentleman allowed him to remain all night, in the morning giving him employment assisting the butler. The applicant continued his work for about a week, doing it well, and at the end of that time left the place, taking with him nearly \$100 which he had abstracted from his benefactor's overcoat pocket.

The latter, who was a member of the Charity Organization Society, called at our office the following day to make inquiries, and was surprised to learn, for the first time, that his protegee was an incorrigible sneak thief.

Some three years ago, I arrested a young man who had for some years been getting money under false pretenses for alleged charitable purposes, and, failing to get a complainant, who had been swindled, an ordinary complaint of vagrancy was made against him and he was committed to the city prison for six months.

After his release he applied for a position with a leading organization, and its representative — one of our smartest lawyers who has represented a branch of the Legislature in a recent important and searching examination — employed him at once. He is now earning a salary of thirty dollars a week, is giving satisfaction and the gentleman who employed him does not know to this day. I am informed, of his prison record.

It is quite a favorite plea with beggars that they are just out of prison and we have found so many bogus ex-convicts that in our charities directory we have published the following by way of caution:

"It is not safe to deal with or assist any real or pretended ex-convicts, except by referring them, or better still, by going

with them to the Prison Association or to the House of Industry and Refuge for Discharged Convicts, temporarily at No. 1115 First avenue, near Sixty-first street, while building at Sixty-third street and Amsterdam avenue. Many falsely pretend to be convicts because public sympathy is so deeply touched by the difficulties which this class encounter."

While I think that discharged prisoners have, as a rule, a fair opportunity, as compared to the chances of their fellow men who have never been in prison, it does not follow that I believe that they have an easy time to get along. It may be that they are "hounded" as is frequently claimed but, if so, no such case has ever come under my notice.

About five minutes walk from this office is a street with which I am fairly well acquainted because for some years I was agent of an office which the Charity Organization Society had there. In two blocks, of this street, have lived, during the past ten years, as our records show, at least fifty persons who have been in the penitentiary, and, I think, it is fair to presume, that as many more have been in State prison or the workhouse. Over 700 of these, living in the same two blocks, have applied, during the same period, for charitable relief of some sort or other. It is a neighborhood of criminals and of beggars.

I do not know that it is much, if any, worse than other streets in the same locality, but this is the environment that children are brought up in; this, Mr. Chairman, is tenement-house life in New York city.

From these scenes the arrested prisoner goes; to these same surroundings as a discharged prisoner he returns. It is difficult to separate him from his fellow man; he must, save in exceptional cases, be treated on the same lines.

I think what the discharged prisoner needs and what those who have never been prisoners need are one and the same — that blessed old institution, the home.

Let New York throw great bridges across the two rivers that separate her from Long Island and New Jersey and give the poor

a chance to escape from the ten thousand tenement bells in which they live.

The third of these conferences was presided over by the president of the Prison Association, Professor Theodore W. Dwight. The conference being on the subject of

#### WOMEN'S REFORMATORY PRISON.

A paper was read by Mrs. C. R. Lowell and was made the basis for discussion. Mrs. Lowell's paper was as follows:

It seems as if any argument in favor of a Woman's reformatory were entirely superfluous, if not impertinent; as if the mere statement of the fact that in this city, of 1,500,000 inhabitants, with the vice and crime which in our present stage of development are the necessary accompaniments of such a population, there is no public reformatory to which a girl over 16 years can be sentenced, would, in itself, be the very strongest argument needed. We know, however, that the facts and the arguments for a change will have to be repeated over and over many times in the future as they have been in the past before we shall have a reformatory for women in this city, and, therefore, I am ready to tell the story once again to you who know it all as well as I do, and to marshal anew the reasons that make a women's reformatory one of the crying needs of the city.

Criminal women and vicious women, in this city, pass, as you know, through the station houses into the city prisons, and so on to the penitentiary or the workhouse, according to the nature of their offence—they go from the hands of the police department into the hands of the department of public charities and correction, and whatever may be the kindness or conscientiousness of individual subordinate officers, in neither department is there any intention or any attempt to return these women to the community any better or any less a menace to the public welfare than when they were arrested. They are taken charge of by the city, are passed through a certain routine and turned out again, it may be in five days or it may be in twenty years, and their future, as individuals or as members of the community, is as absolutely

ignored both in theory by the law, and in practice by the public officials as though it did not exist.]

There are two distinct and separate evils to be remedied: First, the short sentences to the workhouse; second, the lack of systematic reformatory education both in the workhouse and the penitentiary.

The theory of our law is that when an offense is committed the offender shall be punished; a light punishment for a light offense, a severe punishment for a serious offense, and that this punishment will serve as a lesson to the person punished and to those who know of the punishment; and that offenses will, as a consequence, diminish, the assumption always being that every human creature has full control of his own actions, and can avoid committing offenses if he wants to, and that he will want to, provided he is punished for committing them. The causes which lead to the commission of offenses are ignored; the low grade of intelligence which can not understand the connection of cause and effect; the weak will, which is the sport of circumstances; the morbid appetites leading their victims astray; all these are ignored by our laws, and consequently no provision is made for the training of the intelligence, the strengthening of the will, and the repression of the appetites. In very many cases there is nothing which can help the unfortunate offender but a long term of patient and devoted training and education of body and mind, and it is to give the opportunity for such training that the reformatory is needed. The cruelty of arresting a woman twenty or thirty times in one year for the same offense, taking her into court each time to be publicly disgraced, sending her to the workhouse to go through the old round of scrubbing or knitting for three days, and then turning her out to her old haunts and her old companions, is only equaled by the folly and extravagance of paying policemen, judges, keepers and matrons to spend their time in such futile labor.

What is needed is an institution where, when once an inmate has been sentenced for an offense, she may stay and must stay until she is presumably fit to take care of herself, and until a place

has been found for her to go to in which she can earn her own living.

In this institution the first object should be the education (for soul, mind and body) of the inmate; to develop her moral nature and her intelligence, and to teach her to do some work whereby she can maintain herself. Where this is impossible, where the deficiencies of her nature are so great that training will produce little or no effect, she should be kept for life in a safe retreat, where she can neither be degraded herself, or become the means of degrading others; and above all, where she can not continue her own miserable tendencies in future generations; if we can not reform the individual, we can at least attempt to eventually reform the race by cutting off some of the inherited evils which now burden us.

The last conferences of the series held in the library of the association was on the subject of "The incorrigible criminal. Does he exist, and what shall be done with him?" The conference was presided over by the Hon. Francis Wayland, dean of the Yale College law department, whose address and the discussion that followed it was of great interest and value. It is the purpose of the association to hold another series of conferences in the month of May or early in the autumn of 1892 to take up the subjects of capital punishment, civil service reform in the prisons, and others that have been urged upon the attention of the executive committee.

#### DEPARTMENT OF DISCHARGED CONVICTS.

It is some years since this department of the association's work has been described, and it has been thought wise to give a complete description of how it is conducted.

The cleaning and all the repairs to the association's building has been done by men who applied for relief. It must be remembered that "Nothing without labor" is a hard and fast rule in this department.

A small printing office is kept constantly busy in the rear room of the first floor in printing the various circulars, notices, letter-heads and envelopes used in the work. Thus if a printer is discharged from prison, and is unable to find work at his trade,

he is taken into the association office until his chances of obtaining work are better. The little office has been in operation some three years, and has helped many a poor fellow over a rough spot in his life's journey. The press, type and entire outfit were donated by a member of the association's executive committee.

Tools are loaned to mechanics who have come out of prison without sufficient means to obtain them for themselves, provided they have secured employment. No tools are given outright, and none loaned until it has been ascertained by investigation that the applicant has actually secured a place to work.

Transportation to homes and places of employment is provided in certain cases. Where the association sends men out of town it learns as far as possible if it is right and proper to send a discharged criminal to such a place. The association has never been accused of shipping criminals out of New York for the purpose of ridding the city of them at the expense of other communities, and does not propose to render itself liable to such a charge. A man from prison frequently says: "If I could only get out west where I am not known I am sure I could soon get work and live down the past." Most of the men who have gone west from this office have been glad to get back to New York again.

Steady work is obtained for a great many men each year, but it is hard to secure places for most of the men who ask aid in that way. The cable road and subway work going on for the last couple of years has helped the association greatly, and it is under many obligations to one prominent contractor in particular for having provided situations for a large number of men. Just how many he has employed will never be known, as most of the men who get places fail to let us know of their success.

Temporary work is the principal means adopted by the association to relieve its applicants. The aim is to help men to help themselves. Able-bodied men are put at chopping wood, shoveling coal, painting and cleaning around the building, delivering circulars through the city, and in delivering and receiving heavy parcels of reading matter for use in county jails and other institutions. Men who have been clerks or salesmen, and therefore as

a rule not able to perform manual labor, are employed in addressing and folding circulars, and in reading papers in the press bureau—a department of the work explained elsewhere.

In response to the circulars that have been printed and delivered by ex-convicts, many parcels of partly worn clothing and shoes are received, and loaned to the men. It often happens that a man can not get work because he can not present a respectable appearance. Such men are fitted out *cap-a-pie* from the clothing room, and the changes wrought in many instances are wonderful. A man in ragged and dirty clothing is generally without ambition, but put him in good clean clothing and he is willing and anxious to help himself.

Lodgings and meals are given in payment for work done in the various departments, and the association's agents are required by its by-laws to send the men to different places to sleep and to eat.

#### PRESS BUREAU.

As a means of temporarily employing such discharged prisoners as are unable by reason of weakness or inexperience to perform manual labor, the association has established a bureau of press clippings. From this bureau information on any subject that is discussed by the newspapers of the country is furnished to subscribers at very low rates. Its patrons as a rule are people interested in the study of economic questions, managers of institutions and State boards of charity. A great many of the prominent newspapers throughout the United States have been sending their publications to the bureau without charge. The small charge made for clippings does not cover the actual cost, so that the bureau is in no sense a money-making institution. In fact it keeps the association's scrap-books well supplied with the latest information in the realm of penology and kindred topics.

#### LIBRARY.

The library of the association is consulted daily by members of the press, and by others interested in the subject of prison reform.

After having served their purpose in the press bureau, quantities of religious papers are sent to the gospel mission, to the toms, for distribution among the prisoners in the city prison, and to the "Young Men's Home," which employs a missionary who works in the Bowery lodging-houses.

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

1890.	FROM STATE PRISONS.				FROM PENITENTIARIES AND REFORMATORIES.			FROM PRISONS, TWO PRISONS, AND COUNTY JAIL.		Total.
	Sing.	Albion.	Clinton.	Other States.	Blackwell's N. Y. county.	Other counties.	Elkha. reformatory.	City prison and county jail.		
January	7	.....	4	.....	18	3	4	1	37	
February	5	.....	.....	.....	14	4	19	1	40	
March	4	.....	.....	.....	11	3	12	2	32	
April	.....	.....	.....	.....	11	.....	.....	.....	11	
May	6	.....	.....	.....	19	1	33	2	41	
June	1	.....	.....	.....	1	.....	.....	.....	1	
July	.....	.....	.....	.....	23	.....	.....	.....	23	
August	.....	.....	.....	.....	1	.....	.....	.....	1	
September	9	.....	.....	.....	15	4	.....	.....	24	
October	.....	.....	.....	.....	14	.....	.....	.....	14	
November	9	.....	.....	.....	13	2	.....	.....	22	
December	.....	.....	.....	.....	10	1	.....	.....	11	
	.....	.....	.....	.....	8	3	.....	.....	11	
	7	.....	.....	.....	18	.....	.....	.....	25	
	54	35	28	10	168	21	182	14	500	



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

1891.	FROM STATE PRISONS.				FROM PENITENTIARIES AND REFORMATORIES.			FROM DETENTION PRISONS.	Total.
	State Sing.	Auburn.	Canton.	Other states.	Blackwell's Island, N. Y. county.	Other counties.	Eastern Reformatory.		
January .....	6	3	2	3	17	5	9	1	46
February .....	3	1	1	2	25	4	21	1	54
March .....	3	1	1	3	32	2	30	2	74
April .....	5	1	1	1	20	1	1	2	32
May .....	3	3	2	.....	5	1	23	1	43
June .....	3	3	4	.....	11	2	.....	.....	23
July .....	6	4	4	.....	16	3	17	1	47
August .....	11	3	3	2	16	1	16	.....	52
September .....	8	.....	.....	.....	7	2	10	2	30
October .....	14	5	2	3	18	6	4	.....	52
	65	23	16	14	167	37	131	10	453

1290-91

The writer of the appended letter was formerly a fairly prosperous real estate agent in Brooklyn. He was brought low, like so many others before him, by the evil of drink. The letter tells its own story:

To the Editor of the New York Times:

In looking over a copy of your paper dated November thirtieth, I observe an item in reference to the Prison Association of New York. I would like to tell you and your readers what that association has done for me. Last August I came out of the Kings county penitentiary without a cent, after serving ten months. Owing to physical infirmity (being lame), on leaving the institution I asked for five cents car fare. The officer in charge told me they had no money for that purpose. I left and walked as far as Fort Greene, where I had to sit down, for I was tired, weary and sad, for I was homeless, friendless and penniless. I saw a gentleman on one of the seats. I went to him, a perfect stranger, and told him my circumstances—for I had made up my mind in prison, by God's help, I was going to lead a different life. He gave me a ticket over the bridge and ten cents. I came directly to the Prison Association, 135 East Fifteenth street, and made known my condition.

The gentleman in charge of the office took my application and gave me kind words and sympathy. He sent me to work that afternoon and I have been working daily ever since. He also inquired if those were the best clothes I had (they were pretty well faded, having gone through the penitentiary smoke-house). He said, "To-morrow I will fit you out with clothes, and you will find it is not so dark as you think it is." The next day I got my clothes and to-day I am trusted and respected by many, whereas if it had not been for the help extended by this association I would to-day be in my grave or in a prison cell. The kindness and sympathy I have received from that association I shall never forget.

My prayer is that God may bless the Prison Association of New York and raise up friends to support it, that it may be able

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to assist discharged prisoners who are desirous to lead a new life, but come out of prison as I did, homeless, friendless and penniless.

Clarence —, an American, 54 years of age, a civil engineer and chemist by profession, applied for assistance to enable him to reach his family in the State of Washington. He had just been discharged from State prison, where he had served a term of four and one-half years for perjury. He had never been in prison before, and felt keenly the disgrace he had brought on his family by his careless act. He was mixed up in a straw ball transaction. He should have been sent to his family by the State agent for discharged convicts, but after encouraging the man this official left nothing for him, so that he was obliged to come to the Prison Association. With the help of a lady we finally succeeded in getting him off to Washington, where he arrived, as he expressed it, in time to eat his Thanksgiving dinner at home. After the man had been gone a week we received a letter from the State agent, offering to aid the man to the extent of ten dollars, and saying that he understood that the man had friends who would help him. This understanding was probably due to the fact that the man was not a favorite of the warden. There are hundreds of such cases on file in the office of the association.

#### COMMITTEE ON DETENTIONS.

A little box is placed in the corridor of the city prison (the tombs), and any prisoner wishing the help of the association in any way sends a note and calls the representative to his cell door. After having told his story he is counseled and advised as to the proper course to pursue under the circumstances. Those who are not guilty of the charges made against them, but unable to establish their innocence by reason of poverty and ignorance of the law, are provided with competent lawyers, or the facts are brought to the notice of the district attorney, so that he will ask the grand jury to dismiss the charge.

First offenders are generally sent to the State reformatory on our recommendation. Before such disposal of a case is recommended to the court a rigid inquiry is made among the relatives, friends and employers of the man to learn beyond a reasonable

doubt that he is genuinely a first offender, and not an experienced criminal trying to escape merited punishment.

The "shyster" lawyers have not operated so largely or so boldly as in the past; three of them have been convicted and are now in State prison for long terms. A few cases of the hundreds in which we have been interested are appended.

#### A FEW SPECIMEN CASES.

The matron at the tombs requested our agent to investigate the charge against David Blank, 11 years of age, charged with burglary. The officer in the case said that the boy was a bad one, but on inquiry it was found that such was not the case, and that the boy was only technically guilty of the crime charged. His hat was thrown through an open fanlight in play with some other boys, and when he went after it he was arrested. The officer said that the boy's mother was a dissolute and worthless creature, not fit to care for her children. The mother was asked to explain, and did so as follows:

"I work at selling papers, and have supported myself and three children, two of them younger than David, ever since my husband died some years ago. I am not a drinking woman and have money in bank (showing bank book with over \$100 to her credit). I get up every morning at 3 or 4 o'clock and sell my papers until 10 or thereabouts; then I go home and go to bed till it is time to go and get the evening papers. The officer pounded on my door at 12 o'clock. I was in bed, but got up and opened the door a little to find out what was wanted, and now he says I was in bed drunk at noon. I can prove that I am a decent, hard-working woman, and that my poor little boy helps me all he can with the papers."

The true story of the case was put before the judge, who immediately discharged the boy on his own recognizance.

Charles —, a cab driver, out of work and unable to borrow money from friends to make up the amount needed to pay rent, became discouraged and snatched a pocket-book from the hands of a lady in an Eighth street car. He was chased a

long way and caught with the property in his possession. For the act was committed at night, he was indicted for grand larceny, first degree, punishable by not less than five or not more than ten years in State prison. Having no money to employ counsel, he asked our assistance. Investigation brought out the facts that he had always borne a most excellent character and that he was respected by all who knew him, employers and friends alike. When he lost his place, his wife hired an expensive flat and furnished it on the installment plan, hoping to make a living by renting furnished rooms to lodgers. Her plan was a failure and discouraged the husband to such an extent that he committed crime. The complainant, on hearing how matters stood, wanted to withdraw the charge, but was not allowed to. We made a statement of the facts to the judge and with the help of an assistant district attorney, had the charge reduced to petit larceny and the judge sent Charles to the penitentiary for sixty days. He served his term and is now in honest employment supporting his family. He has repeatedly called to express his thanks to the association and let us know how he is getting along.

A poor Russian Jew, with an almost unpronounceable name, arrived here from Russia and started to look for work. As he was attired in the same garments he had worn in his native land, his peculiar dress made him the butt of the street loafers wherever he went. The continual abuse and his failure to get employment discouraged him so that he concluded to take his own life and end the weary struggle for existence. He dissolved a number of heads of lucifer matches in a glass of water and drank the mixture. Some one in the house, attracted by his groans, had him taken to Bellevue hospital where, after having undergone the stomach-pump treatment, he was placed under arrest for attempted suicide (a felony under the laws of New York) and held to await the action of the grand jury. A merchant of this city read of the case and wrote to the court offering the man a situation if his discharge was granted. The case had

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been dismissed the day before by the grand jury and the prisoner's discharge ordered. By an accident the clerk of the court noticed the letter from the business man folded in with the papers and called the matter to our notice. We secured the services of a good interpreter and, after a long search through the tenement-house region of the east side, found the unfortunate young fellow and told him of his good fortune. He was profuse in his expressions of gratitude and went to work the next day.

A poor miserable woman, who looked half starved and frozen, with a ten days' old baby in her arms and another just able to walk, hanging on her skirts, called at the office and begged us to save her husband who was in the Tombs, wrongfully accused of stealing a roll of sheet copper from a building where he had been working. He had been paid off for his week's work and started for home, he said, when he was overtaken by a fellow workman with the copper. Just as he was asking where he got it, as the story ran, a policeman interfered and carried the two "innocent" men off to the station-house. We told the woman that, for the sake of her children and herself, we would ask the judge to be as merciful as he could. The complainant felt sorry for the woman and joined in our request for mercy, and the man was discharged. My investigation as to the character of the prisoner showed that he was a classically educated man, a licensed school teacher, and that he had sunk to the condition of a common laborer and hod carrier through a passion for drink.

The attention of the association was called to the case of Frederick — and family by a physician. On visiting the house on East Twelfth street we found the wife and three children in two dirty dark rooms without food and about to be dispossessed for non-payment of rent. They were supplied with groceries and it was learned that the husband was in the tombs for receiving stolen goods. He had been tried but the jury had disagreed, standing eight for acquittal to four for conviction. The prisoner was out of work and took the goods and pawned them as a favor for a bar-room acquaintance. He was arrested in the street at

2 o'clock in the afternoon with the clothes hanging on his arm. A searching investigation as to his character was made and the following report handed to the court: "Investigation by this association as to the character of the defendant, shows that for the past year he has been in the employ of a furniture dealer who has such faith in him that he will re-employ him if he is released. Mr. — says he has known Frederick about twelve years and never knew him to be guilty of dishonesty. He further states that he has trusted him with as much as \$600 in cash and willing to trust him again with any amount and give him temporary work until June when he will secure a permanent place for him. So far as we have been able to ascertain from information given us by the defendant and other societies he has never been in prison before and out of compassion for his unfortunate family we most earnestly recommend him to the merciful consideration of the court." The judge very kindly discharged him on his own recognizance.

In passing through the toms a few weeks later our agent was greatly surprised to see the same man behind the bars under a charge of burglary. He pleaded in extenuation that he was drunk at the time or he would never been guilty of such an action. This time, of course, he had to go to prison, but the judge said there might be some good left him and sent him to the State reformatory. He made a model prisoner in that institution, and secured his release on parole in one year (the shortest possible time). He is now at work steadily, has an excellent situation and good comfortable home for his wife and children. He does not drink liquor and we are constrained to believe that his course of treatment at Elmira has cured him of the appetite.

John. —, 26 years of age, charged with grand larceny of clothing valued at over \$400, said he was not guilty of the charge and asked the association to help him out of his trouble. He was employed by Mrs. —, who keeps a large boarding-house, as a useful man and to help in the kitchen. The chef, a Frenchman known only as Jan, gave John an old mildewed coat and vest

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which he cleaned and wore about the house. A few days' later the chef left the boarding-house to work in a hotel at better wages, John remaining in the boarding-house. A man who boarded at the house recognized the coat and vest John had on, as his property, and after examining a trunk which he had stored in the cellar had John arrested on a charge of breaking open the trunk and stealing \$400 worth in all. The woman who employed John said she has trusted him repeatedly with ten dollars and twenty dollars at a time without the loss of a cent and in view of the fact that he wore the stolen property around the house all the time he had it; we thought the case one worthy of our attention and made diligent inquiry as to the prisoner's character. A cashier of a national bank in a small town near New York said he had known John and his family for years and that there was not a dishonest person in it. The postmaster of the place gave the same information and former employers spoke of him in high terms. We secured a lawyer (not a toms' practitioner) to defend John when the case was brought to trial. The chef who had given the clothing to John could not be found at the hotel he said he was going to work in, which fact went very much against the young man at the trial. Our lawyer made a strong fight for the prisoner and succeeded in securing a verdict of petit larceny with a recommendation to mercy, considering that he was indicted for grand larceny in the first degree and might have gone to prison for ten years and that some of the stolen property was found on him, this was very satisfactory. We presented the letters we had secured and the judge sentenced him to thirty days in the city prison. He served his sentence and returned to his home where he went to work for his brother who keeps a hotel. In passing through the village I saw him driving his brother's team seemingly prosperous and contented.

#### CONCLUSION.

In concluding this report the executive committee of the Prison Association desires to express its sense of gratitude, for the courtesies that have been shown it by prison officials throughout the State, and especially for the facilities that have been given to its