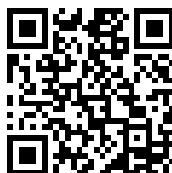

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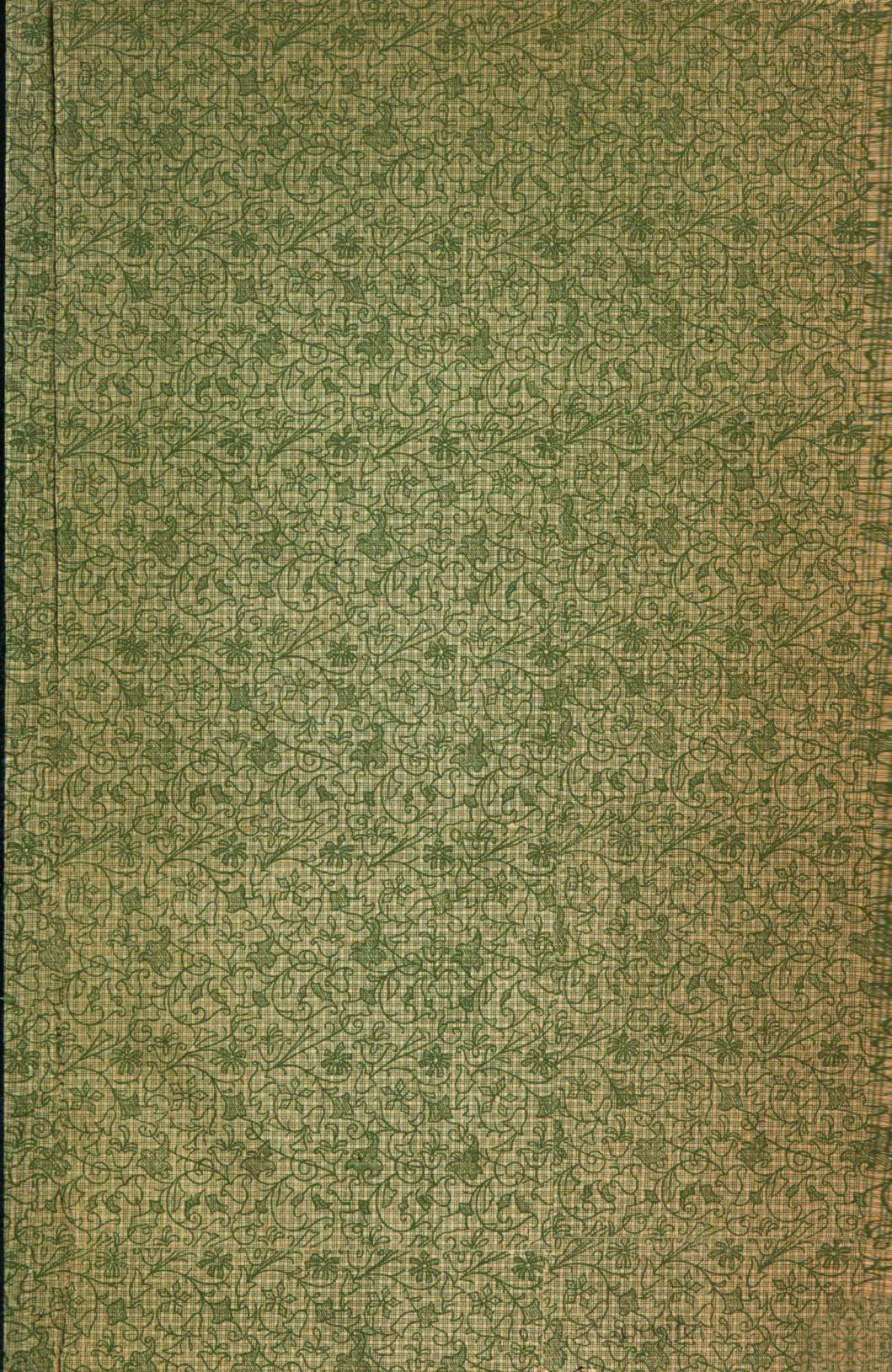
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THE
PENNSYLVANIA JOURNAL
OF
STATE UNIVERSITY
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED QUARTERLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR ALLEVIATING
THE MISERIES OF PUBLIC PRISONS," INSTITUTED 1787.

VOL. VI.

"The separation of one prisoner from another is the only sound basis on which a reformatory (prison) discipline can be established with any reasonable hope of success.—*Fifth Report of Inspectors of English Prisons.*

PHILADELPHIA:
E. C. AND J. BIDDLE,
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CONTENTS OF VOL. VI.

NO. I.

ART. I.—Fifth Report of the Prison Association of New York—1850,	1
II.—Recollections of a Tour of Observation,	16
III.—Prison Economics,	34
IV.—British Prisons,	47

NOTICES.

No. 1.—A Happy Reformation,	53
2.—Evils of Association,	ib.
3.—“Dickens” Again,	54
4.—Juvenile Offenders,	ib.
5.—Burning of a Lunatic Asylum,	ib.
6.—A Reasonable Convict,	55
7.—Army Enlistments,	ib.
8.—Advantages of Seclusion,	56
9.—Charitable Bequests,	ib.
10.—Unsteady Habits in Connecticut,	ib.
11.— PHILADELPHIA. Monthly Returns of the County Prison.— Blockley Almshouse.—Street Begging.—Police,	ib.
12.— NEW YORK. Criminal and Humane Institutions.—Police. —Workhouse on Blackwell's Island,	59
13.— BOSTON. Financial and Criminal Institutions.—Arrests.— Employment for the Poor,	60
14.— LONDON. Supply of Water.—Baths and Wash-houses.— Asylum for Idiots,	61
15.—Punishment of Convicts, and the Cost of their Maintenance,	62
16.— SCOTLAND. Juvenile Delinquents,	63
17.— IRELAND. Pauperism and Crime,	ib.

NO. II.

ART. I.—Convict-Multitudes,	65
II.—The Earl of Chichester's Opinion of the Effects of Convict-separation,	78
III.—Seventh Annual Report of the New York Association for Improving the Condition of the Poor,	83
IV.—New Police of Philadelphia,	85
V.—Annual Report of the Managers of the Western House of Refuge of the State of New York,	88
VI.—Whippers and Anti-Whippers,	90
VII.—Juvenile Delinquency,	93
VIII.—Undetected Crime,	99
IX.—Pennsylvania Hospital for the Insane,	103
X.—Report of the Inspectors of the Western Penitentiary of Pennsylvania,	105
XI.—Report of the Sanitary Commission of Massachusetts,	106
XII.—Our Journal,	110

NOTICES.

Twenty-fifth Report of the Board of Managers of the Prison Discipline Society of Boston,	113
Colonel Jebb's Opinion of Convict Separation,	114
PENNSYLVANIA. State Lunatic Asylum.—Crime in Philadelphia.—	

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Fuel for the Fires of Intemperance.—House of Refuge.—Wills Hospital for the Lame and Blind.—Magdalen Asylum.—Deaf and Dumb.—Poor.—Penitentiaries.—Increase of Crime in Philadelphia,	114—117
OHIO. Blind.—Insane.—Penitentiary,	118
VIRGINIA. Insane.—Funeral of a Deaf and Dumb Mute,	119—120
NEW JERSEY. Insane.—The Penitentiary,	ib.
MARYLAND. Insane.—Almshouse.—Jail.—Deaths,	120—122
MISSOURI. Insane,	ib.
IOWA. Criminal Returns,	122
INDIANA. Blind.—State Prison,	ib.
DISTRICT OF COLUMBIA,	123
ILLINOIS. Insane.—Deaf Mutes.—Pauperism and Crime,	ib.
MASSACHUSETTS. Insane.—Jails and Houses of Correction.—Pauperism.—State Reform School.—Births and Deaths in Boston.—Boston Lunatic Asylum,	123—125
RHODE ISLAND,	126
NEW YORK. Blind.—Deaf and Dumb.—House of Refuge.—Insane.—Idiots.—Crime in New York City.—Mortality in New York. State Prisons.—Ages, Habits and Social Relations of Convicts.—Receipts and Expenses.—Emigrants.—New York Prison Association,	126—128

NO. III.

ART. I. —The New Law Relating to County Prisons in Pennsylvania,	129
II.—Asylum for Vagrants, Drunkards, and Disorderly Persons.—Report to Massachusetts Legislature respecting an Asylum for Confirmed Inebriates,	132
III.—Sixth Report of the Prison Association of New York,	143
IV.—Annual Report of the Inspectors of the State Prisons of the State of New York,	151
V.—A Convict's Story,	165
VI.—Convict-Separation,	168
VII.—Jails and Houses of Correction in Massachusetts,	172

NOTICES.

Special Report of the Warden of Ohio Penitentiary on Prisons and Prison Discipline,	175
DEAF AND DUMB. —Missouri.—Hartford, Conn.,	175
Pauperism in Massachusetts,	176
Maine Hospital for the Insane.—New Hampshire, Children's Hospital.—Idiot Asylum,	176

NO. IV.

ART. I. —Restraint and Reformation of Children Disposed to Vagrancy and Crime,	179
II.—Prison Reform in New Jersey,	192
III.—After Crime and Before Crime,	201
IV.—The Rough House of Hamburg,	205
V.—Diseases and Deaths in London in 1850,	209
VI.—Discharged Prisoners,	212

NOTICES.

Statistics of Crime in France,	216
Nativity of Crime in Boston.—Soothing Syrups,	217
Pauperism and War.—Results of Intemperance,	218
Asylum for Vagrant Boys.—Intemperance a Heavy Yoke,	219
New York Prison,	220

JANUARY, 1851.

VOL VI.—NO. I.

ACT. L—FIFTH REPORT OF THE PRISON ASSOCIATION OF NEW YORK.—PUBLIC DOCUMENT 198.—IN ASSEMBLY, APRIL 5, 1850,
408 pp. 8vo.

It certainly speaks emphatically for the interest of the people of the “Empire State” in the affairs of their prisons, that they should be willing to incur the expense of printing so voluminous a document as that before us. If the Legislature of the “Keystone State” would be alike indulgent, a report equally interesting and valuable might perhaps be prepared, concerning the penal institutions of Pennsylvania, which, with the facilities of Legislative distribution might exert a wide and wholesome influence in this department of our Commonwealth’s affairs.

We propose to take our readers with us upon a very rapid passage through this New York document, noting here and there such facts, opinions and suggestions as may seem worthy of a moment’s pause.

The first point of interest relates to an unhappy collision between the Executive Committee of the Association, and the Inspectors of the Sing Sing Prison. The former supposed themselves authorized by their charter, to make a thorough inspection of any prison unattended by any officer, and to be allowed a personal examination of all the prisoners separate and apart from their keepers.

The clause in their act of incorporation which was supposed to confer these powers, is in these words:

§ 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

VOL. VI.—1

FIFTH REPORT OF THE

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

This claim of the visitors was resisted by the inspectors, on the ground that it was a virtual suspension of their authority, and a taking of the affairs of the prison into the hands "of an irresponsible committee of an irresponsible society." A legal process has been instituted, to determine the rights of the respective parties. In the mean time, the Executive Committee present to the consideration of the Legislature sundry advantages which they think result from such a free and unembarrassed inspection of a prison, as they claim to be their right, and they specify neglects and abuses which have escaped a more general official inspection, and which they think would never be brought to light, but by the severe personal scrutiny of a commission that can act apart from, and independently of the resident officers.

The cases they cite all occurred between April 13, 1848, and December 12, 1849, and if they are, to any considerable extent, to be relied on, they show abuses of official power of which we should hardly believe any public officer at the present day would dare to be guilty. We transcribe but a single one out of the thirty-five instances which the report furnishes, and which may serve as a general specimen of the kind of abuses which are alleged to prevail more or less in the Sing Sing Prison.

June 25th, 1849. (No. 550, R. No. 2, p. 70.) Sentenced for five years for grand larceny; discharged 17th inst.; he says that while A. H. Wells was warden, he was very passionate and severe; Barney Smith, who was

considered by Dr. Hoffman and Dr. Green, deranged or idiotic, and when Mr. Gordon was warden, he was confined in the outer ward or lunatic cells, asked Robert Lent for more victuals. Lent told him to go along and gave him a kick; Barney picked up a small stone and threw at him, but it did not strike him, and called out, "stop that talk," and cursed and swore; this put Lent in a violent passion, and he flew at Barney, and with the assistance of other keepers threw him down and jumped upon his breast and head, until the blood ran out of his mouth and nose; Lent fell upon Barney's breast with his knees, and beat him with his fist till he was bruised in a shameful manner; Wells came down from the female prison and ordered him to be showered; he was kept in the bath and showered till he became stupid; after he was taken out of the bath, Wells ordered him to put on his clothes; he did not obey, but called out, as was his usual custom, "stop that talk;" Wells beat him over the head with his cane, and then with an ox-whip until he wore it out; he then took the handle and beat him till he shivered it to pieces; Barney was taken to the hospital where his wounds were dressed; he has never been well since; he is reduced to a mere skeleton; Lent has not human feelings.

We trust no intelligent legislature will forego such a salutary check as a commission of intelligent and benevolent individuals supplies, upon a power which is very easily abused, and the abuses of which are neither detected nor redressed without great difficulty.

The report of the *committee on detentions* furnishes some facts of much interest. Their sphere of supervision embraces all cases of commitment to the city prisons, the manner of arrests, and the proceedings before the police magistrate; and we could scarcely have believed that such flagrant disregard to the plain provisions of law, as well as to the dictates of common humanity, as their report brings to light, would be tolerated for an hour.

The committee do not hesitate to charge upon magistrates, "as reckless and wanton an abuse of power as well as the utmost disregard of individual rights, and desecration of the social compact, as can be well imagined. If our government was monarchical instead of republican; if the supreme power was vested in the hands of one instead of the many, it would be a just cause for revolution. We may be accused of using strong language; but it is not stronger than is necessary to awaken attention to the evil; not stronger, we are sure, than is adequate to portray the enormity of the offence."

To justify these severe animadversions on the doings of the magistrates, they state that during the past year, there were brought to the city prison not less than five thousand six hun-

dred and fifty-two persons on temporary commitments for examination; "that the periods of commitments vary in duration from one day to over two months, and that the total periods of commitments for all is twenty-four thousand six hundred and forty-two days, or sixty-seven and a half years." But of this enormous number of commitments, all but eight hundred and sixty-one terminated in a discharge!

The report lets us into another feature of official wrongdoing. Directly in the face of the positive injunction of law, that the complaints of a criminal offence should be made and supported by an oath or affirmation, "numbers almost daily are committed without either."

In addition to this, it appears that the most unwarrantable and cruel delays are suffered in bringing charges to an issue. The committee state that the period of detention on such charges in ordinary cases, has been limited by a judge of the Supreme Court to three days, and the practice in England has extended it in extreme cases to sixteen days, yet they say "they have known at one time fifty cases in the city prison alone, of from one to over two months' duration!" Page 27.

That the hardships of these illegal detentions may be seen, we copy a single passage from the report.

Two Swedes were committed without oath or affirmation, on a mere suspicion of grand larceny on the 23d of August, and were held in bondage until the 7th of December, a period of three and a half months; not allowing either to get bail or to be in progress for deliverance. At the end of that time, when, if they were guilty, they ought to have been already in Sing Sing for a month or more working out the penalty of their transgression, they had scarcely entered on the initiatory steps to a trial; although, whether guilty or innocent, they had already been suffering imprisonment. It must be remembered that these men were strangers, speaking a strange tongue, without friends and without money. Such are the men most likely to become the victims of the exercise of this power, persons who, when trodden on have no power of turning to defend themselves.

Among the "disastrous" effects of thus prolonging the confinement of innocent parties with the guilty and shameless, is their inevitable corruption; so that oftentimes persons who are committed upon the very indefinite charge of "disorderly conduct," are soon afterwards received as thieves and burglars; their schooling in criminal science having been provided at public expense, and their constant attendance at such a school

being constrained by the power of the magistrate! "The city prison is now," the committee say, "literally and without exaggeration, a moral pest-house." Page 33.

Reference is also made to supposed collusions between the magistrates, police officers and lawyers; and it is affirmed that the practical result of the vagrant law as now administered, is "to provide a hospital for diseased prostitutes, a home for drunkards, an asylum for troublesome wives, and a comfortable support for those professional gentlemen who are content to wring their subsistence from the misfortune and distress of the prisoner."

Among the commitments to the city prison, there were for intoxication 3,038 men, 1,977 women, total 5,015; for vagrancy, 782 men, 1,278 women, total 2,060; assault and battery 1,313, of whom 156 were women!

There are some curious and instructive items in the details of the commitments. Of the 14,131 to the city prison, 10,370, or say 66 per cent. were foreigners; 7,719 were single, 34 were insane, 12,981, or nearly twelve out of every thirteen were of intemperate habits! More than half could not read, and 1,526 were under twenty years of age. Of the occupations (of which upwards of three hundred are specified) there were bakers 95, barbers 36, bar-tenders 26, boatmen 107, boot and shoemakers 281, butchers 103, blacksmiths 107, carpenters 262, clerks 227, laborers 3,271, seamen 542, tailors 223, waiters 336, without any trade 1,511. Of the females, 1,538 servants, 1,104 were without a trade, and 1,854 were prostitutes!

The commitments to the city prison in 1849, were twelve per cent. more than in the preceding year. Nine-tenths of the increase were in the three items, intoxication, vagrancy, and disorderly conduct.

We now proceed to the *County Penitentiary*, on Blackwell's Island, which the report describes as "one of the largest and one of the worst governed prisons in christendom." Page 48.

There were received during the year 1849, 2,109 prisoners, of whom 425 were for petty larceny, and 1,557 for vagrancy; and discharged in the same time 2,066; 1,543 by the expiration of their sentence, 204 by death, and 309 by *habeas corpus*,—of whom 239 were females! We suspect no other prison ever

claimed so large a use of this "noble writ," in so short a time. Of the 810 prisoners remaining on hand January 1, 1850, 564 were foreigners. As an evidence of the looseness of the returns the committee state, that a large number of escapes are believed to have occurred during the year, though the report professes to account for all that were committed, without any allusion to such modes of exit!

The next institution is the *Workhouse*, which has been occupied about eighteen months. The report tells us that "from the character of its organization, and the wisdom, energy and skill with which it is conducted, it promises to be the most interesting, as well as orderly and successful institution of our city. For the first six months the receipts, with only about two hundred and fifty convicts, average about two thousand dollars a week, or over one hundred thousand dollars a year, a greater amount than is earned by the eight hundred in the Penitentiary."

From the opening of the institution in June, 1849, to January 1, 1850, there were four hundred and twenty-five commitments, of which four out of every five were of foreigners, considerably more than half of whom were from Ireland.

The committee of the association, who are charged with the subject of *prison discipline* generally, present a report of much interest, and permanently valuable as a reference document.

We have marked a few items of information or suggestion, and would gladly extend them if our narrow limits allowed.

Concerning six hundred and nine prisoners remaining in Auburn at the close of the year 1849, we have the following statement:

Lost both parents before the age of sixteen, 86; lost one parent before the age of sixteen, 128; deprived of home before the age of sixteen, 317; left parents or guardians without consent, 94; confess their guilt, 368; deny their guilt, 241; are now in good health, 524, think they have been benefited by the privileges here enjoyed, 295.

It would seem from this, that eighty-five, or nearly one-seventh of the prisoners were not in good health. We doubt whether so unfavorable a report could have been made of the health of any separate prison in the world.

In respect to *stone cutting* as a prison-occupation, the opinion of the warden of the Sing Sing Prison is quoted as follows:

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

Stone-working has been regarded by some as the most healthy, simple, and desirable employment for convicts. It has often been alleged as one of the evils of the separate system, that such a wholesome and profitable business could not be introduced. It is the staple-labor in some prisons.

Binding of hats is mentioned as an appropriate employment for female convicts. They can earn twenty-five cents a day by it.

The various employments of convicts before commitment, as they are here presented in one view, suggest many curious inquiries. Let a few leading occupations suffice.

	Prisoners.	Farmers.	Laborers.	Masons and Stone Cutters.	Shoemakers.	Bailees.	Sailors and Boatmen.
New York, (Auburn.)	609	159	133	9	31		78
" (Sing Sing.)	727	18	211	32			4
E. S. Pen'ty, (Philada.,)	128	9	37	3	7		7
W. S. Pen'ty, (Pittsburgh.)	123	4	28	2	6		
Ohio Pen'ty, (Columbus.)	336	5	19	6	19	63	25

Not having been favored with a copy of the report of the Auburn prison for last year, we are indebted to the document now before us for some interesting items, especially touching the medical department. The present incumbent had been in charge of the department only eight months, and reports seven deaths for the year 1849.

"But," he says, "conclusions relating to the general health of the convicts, based on the number of deaths are, as it seems to me, of all data the least reliable. It is a fact well known that the incurable character of a malady with which convicts may be afflicted, has been a decided and in truth, almost certain reason on the part of the Executive for granting pardons, and although this may be the act of a well conceived humanity, it nevertheless renders calculations drawn from the mortality in the prison almost worthless. The whole number of applicants for medical relief for our hospital patients was as follows, viz.: Whole number prescribed for, 6,066, or a daily average of 24.86; whole number not prescribed for, 2,183, or a daily average of 8.94, total of applications, 8,249."

In respect to the use of tobacco by convicts, the following views are expressed by the physician:

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

The shortening of the terms of imprisonment is regarded by the physician, as having conduced much to the improvement of the health of the convicts:

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

We are not a little impressed by the following passage in the physician's report. We have always understood that the advocates of congregate prisons deny, that any injurious effects result from the *association* of prisoners, under a prohibition of intercourse; in other words, that it was the *separation* of man from his fellow-man, though a convict, that worked the mischief. But it would seem from the present report of the physician of the Auburn prison, that even this *association* without *intercourse*, involves "a strife between the instincts and the will, which is fraught with serious consequences to the mental and physical health of the convicts." We see not, therefore, but the alternative is reduced to this, viz., free, social intercourse of convicts with each other on the one hand, or on the other, individual separation of convicts from each other, but such intercourse with officers and visitors as will keep in exercise their social faculties, and conduce to their moral and intellectual improvement.

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

While on the subject of association and separation, we will cite a passage from the report of the warden of the Sing Sing Prison, which brings to view an evil inseparable (as we think) from every congregate system.

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

Now no one who is familiar with the peculiarities of convict-character will fail to see, that such a classification as is here indicated can only be secured by so near an approach to individual separation, as to incur all the disadvantages which are attributed to it, without retaining any of the benefits which are said to be derived from the adoption of the congregate principle.

Some valuable facts and opinions are presented on the subject of *pardons*.

In the New York State Prisons in 1849, the proportion of pardons to the average number of convicts at Sing Sing, was as 1 to 58; at Auburn, 1 to 44; at Clinton, 1 to 39.

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

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

Our readers will perhaps be surprised to learn what conflicting opinions prevail on the subject of pardons. The New York Inspectors say :

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

These sentiments seem to us to be founded on an entire misapprehension of the design of punishment, as well as of the grounds or occasions of the interposition of the pardoning power. In confirmation of the views of the inspectors, the chaplain of the Auburn Prison says :

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

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

In enforcing these views, the chaplain very clearly intimates a state of *general health among the convicts* in consequence of confinement, (though in a congregate prison,) which we apprehend does not, and never did exist in any prison on the separate principle. Hear him :

The mental and physical constitution of many of the prisoners is already greatly impaired, and nearly all are more or less injured by protracted confinement. Several have large and dependent families for whose sustenance they will be entirely disqualified to labor should their incarceration be greatly prolonged. As many of these unfortunate men have no friends who are in circumstances to bring their case fairly before the executive, it is believed their condition presents strong claims to your attention, and that a

recommendation from your Hon. Board should, and generally would be deemed by his Excellency a sufficient ground for their liberation.

The very intelligent gentleman who holds the post of moral instructor in the New Jersey State Prison, takes a very different view of the case, and as it seems to us, a much more just, sensible and consistent view. He says :

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

The *Georgia State Penitentiary* contained, during the year 1849, an average of ninety-two prisoners ; of whom thirty-three, or more than a third, were discharged by pardon ; three as in a dying condition, twenty-one just before the expiration of sentence to restore them to civil rights, and the residue, (nine,) "from strong petitions of citizens in their behalf, and good orderly conduct on their part during confinement!"

On the subject of the causes of crime, we have the following statements :

The great leading causes of crime appear to be, early orphanage, ignorance, and intemperance. The want of early training which so generally exposes to crime, is one which free schools cannot fully reach, unless there be a power to search out and secure the attendance, and provide for the care of the children of the streets, which so abound in our large cities and towns, and to a more limited extent in our sparser population. For the other, and taking it in all its ramifications the more potent influence, that of intemperance, the laws provide, (?) by committing its ministrations under public authority, to citizens of good moral character.—[*New York Inspectors.*]

From the year 1842, there was a gradual decrease in the number of prisoners received, owing without doubt to the salutary influence of the temperance reformation. Within the last year, the increase has been more rapid than the decrease during the former time, owing to the increase of intemperance.—[*Warden of the Western Penitentiary, Pennsylvania.*]

We have before stated the number of prisoners in Auburn at six hundred and nine. Of these we are told, that one hundred and twenty-six could not read at all, and eighty-seven very indifferently, being a total of two hundred and thirteen, or more than one-third.

With these points before us, we were quite surprised by the following extract from the report of the chaplain of that prison:

When it is considered that one-third of those now confined within these walls were "habitual novel-readers before their imprisonment," and that very many of them declare that they regard novel reading as one of the incipient causes of their downfall, it is most deeply to be regretted that in an institution designed for their reformation, these men should still be exposed to the corrupting influence of that insidious poison which has already proved detrimental to their minds and morals.

It would seem that half of the two-thirds who could read, were of the class described as "novel-readers." We are bound to believe this statement on such authority, but we must crave the liberty to ask, under whose direction are the books for the Auburn prisoners purchased, and who has charge of their distribution, that the corrupting influence which has proved so fatal to many of them, should be still exerted?

The section respecting *discharged convicts*, is full of interesting facts and suggestions, and as our society is about to be summoned to the consideration of this subject, we transcribe a passage or two from this section of the report.

While we would watch over the prisoner during his confinement, to see that no injustice is done him, and that the only objects of his incarceration are not lost sight of or abandoned, we have still a sacred duty to perform on his discharge. Thrown upon society almost penniless, without friends and without character, left to himself, what has he to do in a community where even honest labor often goes a begging? If he seeks charity, he is met with a rebuff. He has no friends to borrow from, and labor he cannot obtain. Alas, this is the too frequent condition of newly discharged convicts. Before the organization of this Association, it depended in a great degree on chance whether a man was returned to prison or not. If he was lucky enough to find remunerating employment, and remain for a time undiscovered, the lessons of industry, forbearance and self-control which he had been taught in prison, might be confirmed by his intercourse with the world, until he should grow into an industrious, sober and honest man; but if, as was more generally the case, he was buffeted by the world, if his efforts to obtain work were ineffectual and fruitless, he soon became disheartened, looked upon society as leagued against him, turned to his old associates for the relief which others denied him, and threw himself a willing sacrifice into the vortex of crime. Till within a few years past, such was the universal prejudice that a reformed convict was considered rather as a fabled monster than a real existence; even judges on the bench sometimes participated in this hue and cry against the convict. It is a most gratifying con-

sideration that so many, in despite, even of the prejudice which exists against them as a class, hold fast to their integrity, and lead honest and honorable lives. In five of our largest prisons the recommitments for a series of years previous to 1847, were one to seven of the whole number; but the recommitments for 1848 were one to eleven only, and for 1849, one in ten and fifty-nine hundredths. * * * *

Sometimes two or three efforts of this kind have been necessary before entire confidence was established; but it is pleasant to know that some of the worst cases, even opium eaters, have now been for five years doing well.

Appended to the report are sundry valuable documents, drawn out in the course of the correspondence of the society and well-fitted to awaken interest and inquiry among legislators, magistrates, and executive officers. Of these, one of the most important is the letter of Major *Jebb*, one of the inspectors of the prisons of England, which gives a bird's eye view of the present condition of the penal institutions of that country.

We regard this letter, and indeed the whole bearing of the present report of the association, as decidedly favorable to the system of *convict-separation* in the Pennsylvanian sense of that term.

Major *Jebb* makes very distinct reference to one peculiarity of the English penal administration, viz., *transportation*. Of the seventy-three thousand seven hundred and thirteen sentences in one year, seventy thousand were for periods of imprisonment between three and six months, and only one thousand eight hundred for periods exceeding twelve months.

No one can look over a table of returns from the prisons of the United States, without being struck with the wide difference in this respect between the condition and destiny of the same classes of culprits in the two countries.

Convicts doomed to transportation, undergo probationary periods of discipline, extending from two to five or six years, and adapted as far as practicable to the two objects of making them submissive and docile as prisoners now, and as convict-colonists by and by.

Suppose our laws were to be so framed, that there should be only two modes of punishing crimes in the United States. 1. Banishment to Arabia immediately on conviction; or 2, imprisonment for a period not exceeding six months; it is easy to see what a radical revolution it would at once bring about in all our penitentiary systems and structures. Major *Jebb* plainly regards the transportation system, with its preliminary

discipline, as having *reformation* for its end, while the punishment which begins and ends in imprisonment is principally useful "in deterring others from the commission of crime, and creating in the individual himself a salutary dread of a prison." Of the seventy-three thousand seven hundred and thirteen, more than seventy-thousand, as we have said, were of the *deterring* class, and less than two thousand of the *reformatory*. Major Jebb's letter is conclusive in favor of convict-SEPARATION, as opposed to any kind or degree of association or CONGREGATION, and he distinctly states, that the present system of the English government in regard to the management of convicts is founded on this principle, that "the separation of one prisoner from another, is the only sound basis on which a reformatory discipline can be established with any hope of success." This was the conclusion to which the Commissioners of the Pentonville prison came, as the result of their entire experience, and which they expressed *in totidem verbis* in their fifth report; and in this opinion Major Jebb fully concurs.

What modifications may be wise and proper in the term of imprisonment, or in the kinds of labor to be provided for convicts, or in the position and structure of buildings they are to occupy, where the principle of separation obtains, is another and an entirely independent question. Major Jebb's letter, and the authorities he cites, would go very far to show that sentences for a longer period than two years would not be desirable on moral grounds, even if no physical dangers were encountered; and we are quite inclined to the same opinion.

He refers to a recent work by Rev. Joseph Kingsmill, chaplain at Pentonville, of whom he speaks as "having had great opportunities for observation, and never having been a partisan of any particular system; his opinion, which is that of a pious and judicious man, is justly entitled to great weight."

We have Mr. K.'s work before us, and shall crowd a brief notice of it into this number of our Journal, if we can. Suffice it to say here, that it bears altogether, and strongly in favor of convict-separation.

As a general conclusion, Major Jebb says his impression is, that for moderate periods, the separate confinement of prisoners, as a basis of discipline, will win its way by its own inherent merits.

Wherever it has been tried in this country it has been greatly appreciated, and, as other prisons come into operation, the influence of the example will be felt.*

In respect to the two schemes of discipline which have lately been urged with no little pertinacity upon the British public, Major Jebb expresses a very decided opinion.

The main features of Captain Maconochie's plan is that of substituting a sentence of a *certain amount* of labor, represented by *marks*, for the present time sentences.

I doubt its practicability and the soundness of its theory from its being impossible for a judge to pronounce a proportionate or just sentence between even two individuals, much less when hundreds are presented for consideration, so great is the difference of physical power, and aptitude for executing work of any kind.

It would, also, be obviously improper to place in the hands of subordinates a power of commuting sentence of time into an imposition of *labor*. This would be to open a door to every shade of favoritism, of injustice and oppression. Whatever may be the unequal effect of time sentences they have, at least, the merit of being more certain than the imposition of labor.

Mr. Charles Pearson advocates productive labor in agriculture and gardening. This plan would not only entail the abandonment of almost all existing prisons, and thus defer uniformity to a distant day indeed, but even if there were every facility for establishing one thousand men on one thousand acres as he purposed, and that instead of *doubt* as to its realizing more than a very small proportion of the annual cost, such an establishment could pay its way, the labor would, generally speaking, be an amusement instead of a punishment.

As a system of discipline, it would not therefore be at all calculated to deter from crime, but quite the contrary.

Such an establishment as he proposes, however, would be admirably adapted for receiving prisoners discharged from prison, and if by any means, it could be made sufficiently productive, it would be one of the great desiderata of the day. Let it be tried when and where it may in this country, I fear the expectation of realizing profits will be a delusion.

The report of Dr. J. L. Tellkampf, which follows Major Jebb's, contains much valuable information, but it abounds with untenable positions, and would need to be modified in many important points, before it could be relied on as authority, or as in any sense a guide to inquirers on the subject of prison discipline.

We cannot refrain from expressing our obligations to the Prison Association of New York, for the zeal and industry with which they have prosecuted their labors through another

* A new prison of the size, and, in all particulars, of the same construction as that at Pentonville, has recently been completed at Mountjoy, Dublin, and Spike Island in Cork Harbour, and will be occupied by 1500 to 2000 convicts, who will be employed on public works.

year; and our hope that every obstacle to the full accomplishment of their benevolent views may be removed. It is not an easy task to correct the abuses of an office, and yet not touch the officer. One might almost as easily take the pound of flesh without a drop of blood. Motives are flippantly impeached, and the wisest suggestions are open to cavil and ridicule; but this is no new thing under the sun. He who, "though he was rich, yet for our sakes became poor, that we through his poverty might be rich," was "despised and rejected of men;" and surely "it is enough for the servant that he be as his master, and for the disciple, that he be as his Lord."

ART. II.—RECOLLECTIONS OF A TOUR OF OBSERVATION TO
THE STATE PRISONS OF MARYLAND, NEW YORK, RHODE
ISLAND, MASSACHUSETTS AND CONNECTICUT. BY ISAAC
PARRISH, M. D.*

HAVING been appointed three years ago, one of a commission of medical men, to visit the prisons of the neighboring States; to investigate the physical and mental health of their inmates, to examine into their construction, discipline, domestic arrangements, system of labor, and all other matters pertaining to the special object of inquiry, I have believed that it might not be uninteresting to the society to be informed of some of the leading facts observed in a visit to the most approved congregate prisons of the Union. My object is merely to state individual impressions, now recalled, at this late period from memory alone, and not to draw up a detailed report, which I trust may yet be presented by the able chairman of the committee, to whom the task was entrusted. Should his engagements permit him to present such a report, I feel assured that it will prove highly valuable to those whose duties and studies lead them into this department of benevolence.

The institutions visited by the committee, were the State

* This paper was read at the October meeting of the "Philadelphia Society for Alleviating the Miseries of Public Prisons," and ordered to be published. It now appears with some additions and slight modifications, since introduced.

Prisons of Massachusetts, Rhode Island, Connecticut, New York and Maryland, all congregate prisons, and conducted very much upon the same general plan. A range of spacious buildings, enclosed by a high wall, within a hollow square, and divided into several departments, constitute the general arrangement of these establishments. One portion of the building, usually in the centre of the square, is appropriated to the officers and supervisors of the prison, another for work-shops, a third for dormitories, a fourth for kitchen, dining hall, chapel, and perhaps a hospital.

The sites of the several prisons are generally well-selected, being in the vicinity of cities, in situations reputed as healthy, although an exception to this remark is found in the male prison at Sing Sing, which lies on a flat plot facing the Hudson river, having in the rear high hills, thus exposing the buildings to dampness at certain seasons, and being as we were informed the fruitful source of rheumatism and consumption.

The general plan of construction is the same. The cells in the congregate prisons are usually about seven feet long, seven feet high, and three and a half feet wide, having an aggregate capacity of one hundred and seventy-six cubic feet.

The windows opening out upon the yard are long, narrow apertures, barely sufficient to admit light enough to read on a clear day. The only means of ventilation is by an opening about four inches square near the top of the cell, and by a half-grated door. These cells are arranged in several stories, in a large hall or corridor, and in the winter are heated by stoves on the first floor of the hall—a very ineffectual method. They are lighted at night by lamps hung up in the hall, so that only those prisoners who are fortunate enough to be near the lamps, can see to read during the long evenings of winter, thus cutting off the great body of the convicts from a most desirable means of improvement and occupation during some three or four leisure hours. This evil, which might so easily be remedied, is severely felt by the prisoners during the long evenings of winter, which they are obliged to spend in darkness and solitude.

The workshops of the prisons visited, are generally large, airy buildings, well adapted to the purpose intended. At

Charlestown, Auburn, Sing-Sing and Baltimore, they appeared to be quite as complete as manufactories generally, with the additional advantage over large workshops, in crowded cities, of being situated in an open square, and removed from the confined atmosphere of a metropolis.

In some of the prisons we found good hospital arrangements, the best being at Charlestown and Baltimore; while at Sing-Sing and Auburn they were very defective.

The arrangements for cooking were generally good. At Baltimore and Auburn, and at the female prison at Sing-Sing, the prisoners take their meals at tables in a large dining-hall; an arrangement far superior to the old plan, adopted at the other prisons, of carrying them in dishes to their cells.

The system of discipline in the prisons visited is also very similar. The prisoners are marched in companies to and from their cells and workshops, with the lock-step and under the direction of their keepers, several times during the day. They are not allowed to converse with each other, except while at work, and then only on matters pertaining to the business in hand; and in some prisons, even this amount of intercourse is not allowed. For serious or repeated infractions of discipline, they are punished either with stripes, or by solitary confinement in a dark cell, on bread and water.

In all the prisons visited, except at Wethersfield, it was, however, manifest that great amelioration of the discipline, as originally administered at Auburn, has taken place.

Rigid silence and isolation are not enforced. The prisoners are not obliged to avert their eyes from strangers, to look down while at work, and to stand upright with their hands locked after their work is finished; nor are they severely punished for every infraction of discipline.

At the time of our visit, flogging was comparatively infrequent; and, in the New York prisons, it has been abolished by statute. The prisoners had sufficient intercourse with each other to know what was going on; and, to our surprise, the objects of our visit, and even our names and place of residence, were known to some of the prisoners, to whom we had not before spoken.

At Charlestown, the discipline appeared to me particularly

mild and rational. We were informed by Frederick Robinson, the intelligent warden of that prison, that he entirely disapproved of making men feel, on entering the prison, that they were to be constantly watched, and to labor under restraint. He therefore encouraged all new-comers to look up like men, to speak freely to their care-takers, and, when it was necessary to the work in hand, to their fellow-prisoners—to have confidence in the officers, and regard them, not as spies over them, but as their friends.

The same course was pursued at Auburn by David Foote, the experienced and humane officer then in charge. The free and comparatively cheerful aspect of the prisoners in these institutions, was in striking contrast with the melancholy and downcast expression of those at Baltimore and Wethersfield, and especially at the latter prison.

In Connecticut, the old plan of rigid non-intercourse is still pursued. The prisoners are not allowed to raise their eyes towards a stranger, flogging is in vogue, and the appearance of several full-grown men, standing like idiots, with their backs against the wall, in an upright position, with the head bent, the eyes fixed towards the floor, and hands clasped in front, presented a spectacle truly pitiable.

We were informed that this position was invariably ordered after the completion of the allotted portion of labor, and was retained until the convicts left the workshops, for their cells. In the other prisons, rest in an easy position was allowed, after the completion of labor; and we often noticed prisoners reading books, upon their looms or stools, after their work was done.

At Charlestown, some of the prisoners were even allowed to leave the workshop, and spend their spare time in cultivating little plots of ground, portioned off as gardens. During the summer months, we were informed that as many as a hundred of these miniature gardens may be seen within the prison walls, each under the care of a prisoner, who is furnished with the means of raising flowers or vegetables for his own use.

In all the prisons visited, books are allowed, embracing volumes on religious subjects, general literature, history, science, &c., and forming, in several institutions, an excellent library. A certain amount of literary and religious instruction

is communicated in the interval of the working day, and on the first day of the week. At Charlestown, some of the more intelligent prisoners were pursuing a regular course of reading and study, and every facility was furnished by the officers to aid those so disposed. At this prison, for the first time, I believe, in prison history, a society of convicts had been formed, and met regularly, for "moral improvement and mutual aid." They have a constitution and by-laws; the warden is the president, the chaplain the vice president, the clerk the secretary, and a majority of the convicts members. The meetings were held once a week, the discussions had been interesting and instructive, and the conduct of the prisoners in attendance was unexceptionable. The warden was much gratified with the result of this experiment, and regarded it as quite a successful movement.

To illustrate the means afforded for mental improvement at some of the congregate prisons, I may mention an incident which interested me greatly. While passing around the work-shops at Sing-Sing, we observed in the weaving department a sprightly mulatto lad, about fifteen years of age, sitting on the stand of his loom, with a book on geometry, slate and pencil, studying out mathematical problems. He was intent on his subject, and seemed highly delighted when noticed by strangers. We were informed by the overseer of the shop that this was the daily occupation of the boy, after the completion of his task of weaving, which was always done some time before the close of the ordinary working hours.

He represented him as possessed of the most extraordinary quickness in accomplishing the labor assigned him, with a degree of mental activity and aptitude for learning equally surprising. He had acquired an uncommon proficiency in mathematical studies unassisted, and was pushing his inquiries into this intricate branch of knowledge with vigor and success. Withal, the lad was remarkably docile and obedient, and appeared to be a great favorite with his keeper.

The great defect of character which had been the cause of his unhappy lot, was an uncontrollable propensity to steal, which displayed itself whenever he was at large, and had caused him to be sent to prison several times. This appears to

be one of those cases of moral insanity, allied to abnormal mental power and activity, which are occasionally met with in prison annals, and which should excite the sympathy and interference of the friends of humanity. This boy was certainly a more fit subject for an insane asylum, or a judicious care-taker out of doors, than to be the companion of criminals.*

* We are not at present prepared or disposed to controvert the position of Dr. P. in this passage of his interesting communication; but, as it involves a principle of some importance, we hope it will not be regarded as irrelevant or impertinent if we submit to the reader a note or two.

In an English treatise on medical jurisprudence, which has been cited as the best work extant on that subject,† it is laid down as the true test of responsibility in ambiguous cases of crime, "whether the individual, at the time of committing the act, had or had not a *sufficient power of control* to govern his actions. If, from circumstances, it can be inferred that he had this power, he should be made responsible, and rendered liable to punishment. If, however, he was led to the perpetration of the act by an *uncontrollable impulse*, whether accompanied by deliberation or not, then he is entitled to an acquittal as an irresponsible agent."

It will be observed, the very term "uncontrollable" is here used in the same connexion as in the text. That this doctrine is not sanctioned by the courts of England, is well known. In the case of Robert Pate, who was tried in July for an assault on the Queen, Mr. Baron Alderson thus disposed of the plea of "uncontrollable impulse." He said :

"The law does not recognize such an impulse. If a person was aware that it was a wrong act he was about to commit, he was answerable for the consequences. *A man might say that he picked a pocket from some uncontrollable impulse; and in that case the law would have an uncontrollable impulse to punish him for it!*"

Another acute and eminent judge, Baron Rolfe, on a recent occasion, in trying a boy aged twelve years, for deliberately and cunningly poisoning his aged grandfather, thus gravely dispelled what a reviewer terms "this favorite delusion of the medical jurists:"

"The witnesses called for the defence had described the prisoner as acting from 'uncontrollable impulse.' In my opinion, such evidence ought to be scanned by juries with very great jealousy and suspicion, because it may tend to the perfect justification of every crime that may be committed. What is the meaning of not being able to resist moral influence? Every crime is committed under an influence of such a description, and the object of the law is to compel persons to control these influences. If it be made an excuse for a person who has committed a crime, that he has been goaded to it by some impulse, which medical men may choose to say he could not control, I must observe, that such a doctrine is fraught with very great danger to society."

A reviewer, after citing this authority, adds :

"This stern and sound good sense prevailed, and the youthful murderer was convicted. We have been thus full and distinct in explaining the wholesome doctrine of our English law, because of its importance; and we desire it to be understood, far and wide, especially by the medical profession, that these fashionable but dangerous

† Blackwood, Nov., 1856, p 550, Am. Edit.

It was gratifying to observe that the wardens and inferior officers of several of the prisons visited, appeared to be imbued with the idea that uniform kindness, mingled with a firm administration of the rules, was far more effectual in controlling the convicts, than severity and harshness. This was especially apparent at Charlestown and Auburn, and at the female prison at Sing-Sing; all of which appeared to be quiet, orderly, and well-conducted establishments.

David Foote, keeper of the Auburn prison, informed us that he had been for many years connected with this institution, first as an assistant keeper, and afterwards in his present position, and had thus had ample opportunity of watching the effect of the two systems of severity and mildness as carried out there. He spoke in terms of entire confidence of the superior efficacy of a course of discipline which did not violate the self-respect of the convict; a system which, while it maintained strict rules of government, sought to convince the judgment of the convict of their necessity, and thus to secure his co-operation in carrying them out, rather than to force him into compliance by threats and the infliction of torture.

The melancholy results of the latter method in this prison, had evidently produced a powerful re-action in favor of a mild and rational course; and, judging from the admirable order which appeared to prevail when we visited the prison, the inspectors had been particularly fortunate in the selection of a warden well qualified for testing the benefits of the new order of things.

The overseers in some of the shops, both at this and the other prisons, appeared to be men above the average in intelligence and humanity, who felt a becoming sympathy for the objects of their charge, and appeared to manage them with a degree of forbearance and good feeling which secured their esteem and confidence. In a few favored shops, punishments for infractions of discipline were rarely known, and the work appeared to go on as smoothly and industriously as in a well-ordered manufactory.

ous modern paradoxes, borrowed from continental physicians, concerning the co-existence of moral insanity with intellectual sanity, will not be tolerated in English courts of justice." — Ep.

Of course, there were others where the officers were rough and severe; and here a corresponding change was observed in the facility of maintaining the discipline, as evinced by more discontent, and frequent punishments for violating the rules.

On the whole, it was apparent that a gradual amelioration in the severity of prison discipline has been going on for some years past; that instead of stripes, harsh language, a rigid coldness and distance on the part of the officers towards the prisoners, there is now more interest felt in their welfare, and a greater degree of kindness practised towards them, than at any former period. Several of the officers with whom we conversed spoke of prisoners as a less criminal class than they are generally regarded by the community; constant intercourse with convicts had convinced them that they were not "sinners above all other men," but that they often possessed traits of character calculated to soften the dark features which had led them to a course of crime. The existence of this feeling of sympathy on the part of prison keepers, leads to the adoption of measures calculated to promote the best interests of those committed to their care, and, wherever it prevails, must tend powerfully to their amendment and reformation.

Another feature of moral discipline in several of the institutions visited, is the maintenance of the interest of the prisoner in his family and friends, both by frequent correspondence and by visits. While at Sing-Sing, we observed, in the office of the warden, groups of persons seated in different parts of the room, holding anxious converse together. Here were the mother and sister, inquiring into the condition of the fallen son and brother, and, in words of tenderness and sorrow, admonishing him for his past errors, and encouraging him to amendment for the future; the wife, mingling her tears with those of the husband, whose crimes had separated them for a season, but for whom she still felt the warmth of affection. Such scenes are frequent, and cannot but exercise a salutary influence upon the convict; indeed, we were informed by the officers that the good effect of such visits was often evident in the deportment and tone of feeling of the prisoners, for a long time.

Regular days for visiting are established, the good behavior of the prisoner giving him the privilege of seeing his friends,

while the reverse debars him from it; thus presenting a powerful incentive to moral improvement and self-control. An active system of correspondence with relatives is also carried on, the chaplain acting as the medium of communication where the prisoner is not competent, or inspecting the letters, if he is. This officer at Sing-Sing informed me that much of his time was occupied in the performance of this duty, in which he appeared to take great interest. He considered it an important link in the chain which binds the prisoner to his relatives and friends, thus keeping up a mutual interest, and giving the prisoner, should his conduct deserve it, a passport to respectable society, after his discharge. The very limited opportunities furnished in our prisons for this intercourse, either by visits or letters, has struck me as a great defect, which must be remedied before the full moral effects of the separate system can be realized.

So much for the general features of government, as observed in the several institutions which passed under review.

In regard to the physical wants of the prisoners, these appear to be generally well supplied. The food, which was carefully examined at all the prisons inspected, appeared to be in sufficient quantity and variety to promote health. The bread was good in all, and, in some institutions, excellent. We saw no tainted meat, nor anything offensive to the taste or wants of laboring men. At Charlestown, vegetables raised by the prisoners in their gardens were cooked for them, in addition to their ordinary prison fare; and, at several institutions, fish was allowed to the Catholics, on the days when their religious scruples prevented them from taking meat.

We found a fondness for tobacco very general amongst prisoners; and the eagerness with which they inquired for it, manifested the strength of the desire. In several of the prisons a ration of tobacco is as regularly served, at stated times, as are the meals; and one of the most severe punishments which can be inflicted on the refractory prisoner, is its deprivation. It appeared to be a general opinion amongst the physicians and keepers of prisons with whom we conversed, that the use of this weed is essential to the preservation of good order and discipline amongst the convicts.

Dr. Blanchard Fosgate, the present physician of Auburn Prison, goes so far as to say that, in his judgment, it has a happy influence on the inmates of that institution; its general effects, on those who are habituated to its use, being, to "quiet restlessness, and calm mental and corporeal inquietude."

Dr. Charles Bell Gibson, in charge of the Maryland Penitentiary at the time of our visit, spoke with equal confidence of the good effects of tobacco in diffusing contentment, and promoting subordination, amongst the prisoners there. The article had been introduced by him into that institution, from the urgent and oft-repeated appeals made to him by those habituated to it, who described their sufferings from its deprivation in the most pitiful tones. In connexion with this subject, it may be remarked that Dr. Fosgate, in his report for 1849, states that of fifty-eight intemperate convicts admitted into the Auburn prison during a period of eight months, fifty-five were addicted to the use of tobacco. In his opinion, while the practice of drinking ardent spirits can be broken in upon and superseded by a more nutritious and better regulated regimen, the habitual use of tobacco cannot find a substitute, and seems to have established a far deeper necessity for it in the constitution.*

The sleeping apartments, or dormitories, in all the congregate prisons, are very similar; they are close, confined, dark receptacles, looking more like tombs for the dead, than places for working men, criminals though they be, to spend their long, dreary nights, and their hours not devoted to labor. Of the size and general arrangement of these cells, I have before spoken, and need only repeat, now, that they are exceedingly confined, and badly ventilated; being worse in this respect than the cells of separate prisons. It is indeed surprising that any man of common sense could, in this age, have contrived such tomb-like places as the abodes of living beings, unless it was

* We should be slow to question the opinions of medical gentlemen on any subject within their professional province; but we must take our own time to examine the evidence on which their opinions are founded, and the measure of authority with which they come to us. At present, we stand in doubt of the doctrines here advanced or implied. We ought, however, in all frankness, to say that the physician of the Eastern State Penitentiary, and the practice there, confirm the views of Drs Fosgate and Gibson.—ED.

to add physical torture and disease to the restraints of confinement and discipline, which the law has properly imposed upon those who offend against it.

The beds and bedding are, however, generally kept clean and comfortable; and the cells are aired after the prisoner leaves them for his shop. The hall, or corridor, and the cells, are swept out every day, and are frequently white-washed; presenting, as a general rule, the appearance of neatness and cleanliness. By this means, the evils of bad construction are in some measure alleviated; and, as the prisoner spends the great part of his waking-hours in a workshop, or out of doors, the effects of confined air during the night are less severely felt.

The workshops in several of the prisons visited are spacious and airy. At Charlestown, Auburn and Baltimore, they are particularly so, having been recently remodelled at the two latter institutions; thus giving the prisoners the advantage of ample space to work in, and of as good ventilation as is usual in manufactories.

The trades pursued in congregate prisons are various, and generally healthful. The sedentary employments of weaving and shoemaking, the main business of our prisons, although followed, are not by any means the chief source of revenue, except perhaps in the Maryland Penitentiary, where a large number of prisoners were employed at these trades.

In the other prisons, stone-cutting, carpentering, blacksmithing, chair-seating, upholstering, manufacture of cutlery, &c., &c., are all actively going on, presenting the scene of a lively workshop, with the minds and muscles of the workmen all busily employed.

At Sing-Sing, a portion of the prisoners were employed during our visit in quarrying stone, digging, making roads, &c., in the surrounding grounds; thus spending their working-hours in the open air. Amongst these were many of the colored convicts, whose healthy and robust appearance contrasted favorably with the sickly hue of many of this class, who are confined in close rooms, to sedentary employments.

At Charlestown, many prisoners are employed in cutting and dressing stone, in large, open workshops; while others are engaged as coopers, cabinet-makers, brush-makers, blacksmiths, &c.

At Wethersfield the prisoners were chiefly carpenters, smiths, hatters, cabinet-makers, &c.; none were weavers, and but few shoemakers. The cutlery shop at this and the Auburn prison is said to be very injurious to health, from the flying of the fine steel dust from the machines, which is inhaled into the lungs, and from the great labor required in this branch of manufactures.

At Auburn, cabinet-making, machine-making, coopering, tool-making, cutlery, carpet-weaving and tailoring, were all in active operation.

In inspecting the general health of these prisons, the committee placed themselves in a position where they could see the men passing in review before them, to and from their shops, and generally obtained several views of them in this way. They were allowed also to converse with those prisoners who had been subjected longest to confinement, as to its influence upon their health; and to make such inquiries, in regard to particular prisoners who appeared sickly or delicate, as might satisfy them as to the effect which prison life had exercised upon them. They also saw the physician of each prison, and obtained from him the result of his experience and observation upon these points.

The general impression received by the undersigned was favorable to the health of the prisoners at all the institutions visited, Sing-Sing being the lowest in this respect, and Charlestown the highest. The prisoners subjected to long confinement, however, say to five years and upwards, are, as a class, very apt to suffer in their health, and to leave prison with their energies impaired for life. Eliza Farnham, the intelligent matron at Sing-Sing, who appeared to have observed closely the effects of long terms upon the mind and body, spoke confidently upon this point, as did several other experienced persons with whom we conversed. In addition to the injurious effect of long sentences upon the health, it is believed by many conversant with the subject, that protracted confinement diminishes the prospect of reformation, by breaking down the spirits of the convict, and rendering him more callous to good impressions.

It is proper to remark, however, that we conversed with several prisoners, who had been in prison for periods of ten years and upwards, who appeared to be robust and healthy,

and to have become so far reconciled to their lot as to be comparatively contented. These may be regarded as exceptions to the general rule.

In separate prisons, long confinement is still more injurious than in the congregate; and it is scarcely to be doubted that a decrease in the terms of sentence in our own State, would be followed by salutary results, both as it relates to the convicts and to the community. Viewing the prisoners confined for terms of between one and five years, in well-conducted congregate prisons, there would seem to be but few circumstances calculated to deteriorate their general health; while regular habits, steady occupation, and wholesome diet, improves the condition of many who have been addicted to vicious indulgences and a wandering life.

If the cells of these prisons were made larger, and bountifully supplied with light and air; if the various appliances to promote cleanliness and neatness amongst the prisoners were introduced into them; if a longer period were allowed for intellectual and moral improvement, under judicious instructors; if the marching with a lock-step, in gangs, under the gaze of strangers, were abolished, and if a proper system of classification among the prisoners were adopted; who can doubt that these institutions would promote the health and improve the habits of the vicious to a much greater extent than at present?

Did liberal and enlightened views prevail, having in view the restoration of the offender to the bosom of society as a sound and useful member, and not simply his punishment as a satisfaction for violated law, our prisons might indeed become purifiers of the body politic, while at the same time they protected society from the outrages of wicked and lawless men. For, although experience abundantly proves that a radical change in life and conduct can only be effected by an inward and supernatural agency, yet all acknowledge the influence which surrounding circumstances and external means may have in favoring this great and desirable result.

If a sense of degradation and a feeling of despair are engendered by the associations of a prison, hope languishes, and the feeble aspirations of the unhappy convict after a better and a higher life may be smothered in their very birth. It becomes

important, therefore, that even the lower nature should be cared for, and that such hygienic arrangements should be adopted as will secure cleanliness, neatness, and a supply of those natural elements necessary to the health of body and mind.

From the observations made, the writer believes that sounder views of prison discipline are gradually gaining ground, though, from the very construction of the buildings, it is impossible at this time to carry them out to the extent which would be desirable.

At several of the prisons a system of bathing has been introduced, which adds much to the health and comfort of the convicts. At Sing-Sing, the men are permitted to bathe in the river, where it passes the prison grounds, once a-week during the summer months; and at Charlestown, the water is introduced from the river into a large reservoir in the prison-yard, where a like privilege is allowed. During the cool weather, arrangements more or less complete for a general weekly ablution are made at these institutions, and, so far as I recollect, at the other prisons.

The diet of prisons is greatly improved over former times. Beef, mutton, pork, fresh and salted, codfish and herring, with potatoes, turnips, beans, rice, &c., make up the chief articles of diet for dinner, with the addition of soup occasionally; and these are varied from day to day. Breakfast does not differ greatly from dinner, except that indifferent coffee or tea, sweetened with molasses, is added. The supper usually consists of mush and molasses. If a ration of milk, or milk and water, could be substituted for the coffee and tea at breakfast, it would, I think, be a decided improvement.

The care and attention bestowed on the sick is another evidence of progress. In all the prisons visited, we found hospital arrangements more or less complete, and excellent physicians in charge of them. The power vested by law in medical men, to watch over the health of prisoners, and to mitigate the rigors of confinement, if they are operating injuriously upon the constitution, is, in fact, a feature in the discipline of prisons worthy of the humanity of the age. Under these improved regulations, the health of convicts, as a class, is much better than in former times. At Charlestown and Auburn, especially, the

men presented, at the time of our visit, an appearance of health and vigor almost equal to a similar body of workmen out of prison; and, at the other prisons, the cases of actual sickness were comparatively few. It must be remarked, however, that there is in congregate prisons a greater liability to the occurrence of epidemic and contagious diseases, than is found in separate prisons.

At Sing-Sing, Auburn and Baltimore, epidemics more or less severe have occurred within the past few years, and have carried off a number of the convicts. Fevers of a low type, dysentery, and diarrhoea, are the most frequent diseases of this class; and it is believed that the causes of these epidemics have been directly traceable to the institutions in which they have appeared.

In regard to the existence of insanity in the prisons visited, the committee made diligent inquiry; and, so far as they were able to discover, but few cases of mental disease originate in these institutions, or can be clearly traced to the effects of their discipline. In all penal establishments, there are certainly a larger number of insane than would be found amongst the same number of persons in general society, owing to the fact, which now appears to be well established, that in certain forms of insanity there is a strong tendency to the commission of crimes, which, through the ignorance or prejudices of courts and juries, are punished by the penalties of the law. The rights of such insane criminals are, however, protected by the laws of New York, and of some of the New England States, which provide for their removal from the prison to the State insane asylum, if their insanity should be clearly proved by competent medical authority. On this account, it is difficult to compare the actual number of insane belonging to these prisons, with our own, where no such arrangement exists.

Inasmuch as this subject has given rise to much discussion amongst the advocates of the two systems of confinement known as the congregate and separate, and as the prisons of Massachusetts and Pennsylvania have been those to which attention has been mainly directed, the committee devoted considerable time and research to ascertain the actual condition of the former institution in this respect.

It is well known to the Society, that, for a number of years past, the most favorable accounts have been published of the mental and physical health of the prisoners at Charlestown, placing it far in advance of the Eastern Penitentiary, especially as it relates to insanity. The committee were instructed by the Society to inquire particularly into this matter, and they were prepared to find some collateral circumstances which might explain this remarkable immunity from disease. They thought that probably only the better class of convicts were received at the State prison, the more dissolute and broken down being sent to the county jail; or that some arrangement existed whereby the insane criminals were transferred to the lunatic asylum, without regularly entering the prison, and appearing on its records; or that a number of convicts might be in the prison, who would be deemed insane upon a critical inquiry, and yet who were not so regarded by the prison officers; or that the number of pardons on account of ill health or insanity might be so large as to affect the reported average of health. In directing attention to these several points, we were unable to discover any discrepancy between the official reports from this prison and its actual condition, or anything to make us distrust the high range of mental and physical health claimed for it by its friends. In this investigation, every facility was furnished us by the officers of the prison, and an openness and candor manifested which secured our esteem.

Without entering here into the details of the inquiry by which the conclusion has been arrived at, I have no hesitation in expressing the conviction, that the average health of body and mind at Charlestown prison is much better than has yet been attained at our own Eastern State Penitentiary,* and, with the exception of the occasional prevalence of epidemic diseases before referred to, I regard the congregate prisons generally as in advance of us in this respect, especially as it relates to the occurrence of insanity. The variety and healthful tendency of many of the occupations pursued in congregate prisons, the exposure of the convicts to the fresh air and to the light of day,

* This opinion is based upon the state of things two or three years since. The report of the Eastern State Penitentiary for the current year will probably exhibit a state of health which has rarely been equalled in any penal institution in the country.—ED.

the greater variety in the passing scenes and incidents of every-day life; the intercourse of the prisoner with his fellow-prisoners, and with his family, restricted though it be by rigid rules; are so many causes which contribute to this result.

Confirmed in the belief that important modifications were essential in the discipline of our own prisons, before they could be made to exhibit a satisfactory range of health, the commission, soon after their return, used their private endeavors to influence persons in authority to adopt such changes in the discipline of our State prison, as would comport with the laws of the human constitution, and thus secure for it a better state of health, and a greater degree of usefulness to the State. The reports of the physician (who was a member of the commission) have for several years past clearly and candidly set forth the defects under which the institution is laboring, as not necessarily attendant upon the separate system of confinement, but, to a great extent at least, remediable; while he has urged with earnestness such changes in the administration as appeared to him wise and salutary.

In addition to this, the Society have circulated through their Journal various important views and suggestions having the same tendency, together with a paper by myself upon the injurious effect of the present system of confinement and sedentary labor upon the colored convicts—a subject first elucidated by Dr. B. H. Coates, in an essay read before the American Philosophical Society, in 1843.

These movements, though productive of no immediate result, have not been without their influence in inducing a more thorough examination into the workings of our system, and in exciting, in intelligent and thoughtful minds, a determination to see it improved, in accordance with the new light which has been unfolded by the experience and observation of the past twenty years.

A spirit of improvement has, we trust, been awakened, from which we may anticipate the most useful results. At our State Prison, the unwholesome and stultifying occupation of oakum-picking has been recently substituted by the more pleasant and profitable one of cane-seating chairs; and we understand that measures are in progress for adding other active and healthful trades to those of weaving and shoemak-

ing, which have for so long a period been almost the only employments pursued at this prison. The building of workshops attached to the separate cells, which was commenced under the wardenship of George Thompson, and suspended since that time, will, it is believed, be re-commenced as soon as the necessary funds are supplied. The great advantages of these shops have been practically tested in the small number of them now in use; and there can be but little doubt that, with the spirit of reform which is now awakened, the plan of converting the narrow and gloomy exercise-yards into neat and well-lighted shops, and of adding to these, yards of convenient size, which will admit of the entrance of the sun's rays and be suitable for exercise, will be fully carried out.

The condition of the insane has also engaged renewed attention, and measures are in progress to render them as comfortable as circumstances will permit. In a word, a new era is opening upon this institution, and, under the guidance of enlarged and liberal views, it can scarcely be doubted that such modifications in the discipline will be effected, as shall secure a higher range of mental and physical health than has yet been attained. As this was the main object of the Society in instituting a medical inquiry into the effects of prison life upon the health of convicts, it is to be hoped that the tour of observation of which this paper is an imperfect outline, may not be wholly useless. It is true that no official report of the committee has been presented to the public, which might form the basis for positive conclusions; but, so far as these recollections may be useful, they are cheerfully submitted, without claiming for them that accuracy and authority which a more detailed report, founded on notes and statistics, would have possessed. The Society will also bear in mind, that the observations refer to the state of things existing in the year 1847; since then, changes have occurred in the administration of most, if not all of the prisons visited, which may have materially altered their condition.

I cannot close this sketch without acknowledging the kindness of the officers of the several prisons visited, in furnishing the committee with facilities for prosecuting the objects of their mission. To Dr. Green, the resident physician at Sing-

Sing at the time of our visit, our obligations are especially due for his attentions and hospitality during our stay there. To Dr. Gibson of Baltimore, (now of Richmond, Va.,) Dr. Bemis of Charlestown, Drs. Lansing, Briggs and Fosgate of Auburn, we are also indebted for valuable information touching the objects of inquiry.

ART. III.—PRISON ECONOMICS.

HOWEVER desirable we may deem the reformation of the offender, (and we insist on its being one of the primary objects of imprisonment,) we are not among those who consider society justified in placing its erring members under such influences as experience declares are calculated to disturb the balance of their minds, or impair their bodily health. On the contrary, we would with jealous care endeavor to secure to the criminal the full exercise of his physical and mental faculties, even despite the fear that our precautionary measures might in some degree diminish the chances of his moral reformation. But, happily, after a somewhat extended experience, we are satisfied that the separate system of imprisonment (the reformatory influence of which we believe to be much greater than that of any other hitherto devised) can be administered with entire safety to the health of both body and mind.

Whether the construction and administration of the separate prisons of this country and Europe are such as to provide for their inmates these combined advantages to their fullest extent, it is not our present purpose to inquire; we simply propose to lay before our readers a slight outline of the most important general architectural arrangements and discipline; such as observation and inquiry have convinced us are most likely to produce all the benefits which, in our view, the Pennsylvania system is eminently fitted to confer.

SITE OF BUILDINGS.

In order to afford to the convict the greatest possible amount of social intercourse with properly qualified individuals, sepa-

rate prisons should be invariably located in the immediate vicinity of a populous town or city; and in no instance ought any such building be made to contain a larger number than two hundred and fifty, or at the utmost three hundred inmates. Any extension of the number beyond this limit would render it impossible for the chief officer to bestow on each individual the time necessary to discover his physical capabilities and peculiar traits of character, and thereby profitably to direct his employments, and his moral and intellectual training.

STRUCTURE AND POSITION OF CELLS.

Preferring the health of the prisoner to architectural beauty, or the supposed convenience of the officers, we would recommend the blocks or wings to be arranged in parallel lines, running east and west, and each corridor to have only a single row of cells on the *south* side, so as to afford all the prisoners the advantages of such an exposure. No matter what his occupation, each prisoner should have a workshop and dormitory, the former at least sixteen feet by twelve, and the latter fourteen feet by eight; the ceilings of both should be of a proportionate height, and the floors elevated considerably above the level of the corridors, or outer yards. Ample provision should exist for the admission of light, and the means of heating should be such as to secure an uniform and sufficiently high temperature at all seasons requiring the aid of fire. If, as we fear is sometimes the case, the prisoner is made literally to

“Feel by turns the bitter change
Of fierce extremes—extremes by change more fierce
From beds of raging fire to starve in ice,”

disease and death will inevitably follow.

METHODS OF HEATING.

The practice, so much in vogue in the early part of the present century, of warming public buildings by passing air over intensely heated iron plates, proved so injurious to health that it was speedily abandoned. Here the fact that air is totally unfit for the purposes of respiration if the chemical characters of it are in any way materially altered, was entirely lost sight of; and, in the various public buildings in which the plan

was adopted, the African simoom was closely imitated, both in character and effects, by the hot, desiccated, sulphurous, and highly electric air that rushed through a hundred apertures. This mode was superseded by the one which, under various modifications and improvements, is almost universal at the present time—that of warming air by passing it over large surfaces, moderately heated, and afterwards conducting it to the different apartments. On this principle was the Strutt stove, invented in 1792, and it is the same which we see exemplified in the hot-air furnaces of the present day. This plan has still its advocates; but competent observers declare it to be exceedingly unsatisfactory and uncertain. Besides, we have the well ascertained fact, that air heated by this means to 70° gives much less feeling of comfort and warmth, than air heated to only 66° by passing over pipes filled with hot water, or steam; hence, to the latter apparatus ought the preference to be given.

There are two modifications of this plan—that of Mr. Perkins, of London, which consists in direct radiation from pipes filled with hot water, passing through the apartments to be warmed; and the more recent and preferable one of first heating the air in suitable chambers, having several coils of pipe, raised to a certain temperature by hot water or steam circulating within them, and afterwards conducting it to the halls, or corridors, in the same manner as from the hot-air furnaces. At the Pennsylvania Hospital for the Insane, this mode of heating, and that by hot-air furnaces, may be seen in the greatest perfection our present knowledge of the subject admits of. Mr. Perkins declares that, by his plan, every four lineal feet of pipe, of one inch external diameter, will raise two hundred cubic feet of air 30° above the external temperature. How far this statement has been realized in other places, we do not pretend to say; but certain it is that in the institution in which we are acquainted with the practical operation of this mode, it has signally failed; while as a means of assisting ventilation, it is far inferior to the other plan we have indicated. But, as regards its application to separate prisons, it is open to another objection. The temperature which one individual would consider comfortable, others might declare too hot, or too cold; hence, in a series of cells heated by one continuous pipe of the same extent

of radiating surface, the inhabitant of one might consider himself subjected to excessive cold, while his immediate neighbor might declare his apartment uncomfortably warm. To the plan of introducing air already warmed, no such objection exists, as, by the opening or closing of a valve, the temperature can be regulated to any given degree. There is another strong objection to Mr. Perkins' plan of heating: the pipes become, occasionally, intensely hot; and, when in this condition, should the prisoner be seized with a fit of epilepsy, or palsy, or, from any other cause, fall on them, he would be seriously injured. This is no fanciful objection.

LIGHT.

The effects of deficient light in the etiolation or bleaching of plants, cannot have escaped the most superficial observation; but the necessity of the vivifying stimulus of the sun's rays for the thorough organization and development of animals, is not so generally known. If the light is excluded from the spawn of frogs, the eggs are never fully hatched; and, under the same influence, tadpoles do not undergo their usual transformation. Nor are facts wanting to prove that the privation of direct solar light arrests, to a certain degree, the development of man. In a parliamentary inquiry instituted some years ago, it was proved by Sir Astley Cooper and others, that children in large manufacturing establishments, though exceedingly well fed, clothed and lodged, and looking, to superficial observers, healthy, were nevertheless greatly deformed in their limbs, their growth was stunted, and their minds inordinately dull. Nay, even the monstrous births so frequent among the wretched inhabitants of the dungeons under the fortifications at Lille, have been attributed by competent observers to the want of the peculiar stimulus of the sun's beams; while scrofula, in all its Protean forms, is known to be developed by the same deprivation.

VENTILATION.

Of even greater importance than a suitable temperature and adequate light, is an abundant supply of pure fresh air, circulating through the cells by night as well as by day. Without this, in short, every other hygienic requisite would prove com-

paratively useless. Atmospheric air is composed of oxygen gas twenty, and of nitrogen gas eighty parts in a hundred, with a minute proportion of carbonic acid gas. Of this compound, a person of ordinary stature will consume somewhere in the neighborhood of fifty-seven hogsheads in the course of twenty-four hours. At each respiration, almost two-fifths of the oxygen inhaled is absorbed by the lungs, and there converts the effete venous into vivifying arterial blood; while at each expiration almost an equal bulk of carbonic acid gas is expired, the nitrogen being but little changed. Thus, independently of all extraneous sources, the respiration of man and animals tends to vitiate the atmosphere, since carbonic acid is one of the most noxious gases known; so much so, indeed, that in whatever air it exists in greater proportion than in the open country, just in the same ratio will it affect the health and well-being of all who breathe it. It is evident, therefore, that however harmless the amount of this gas expired by the lungs may be, when allowed to mingle with the air at large, if the individual be confined in a close apartment, it must necessarily accumulate in such quantities as to render the atmosphere highly poisonous. But, under these conditions, it is not by the agency of carbonic acid alone that health and life are assailed; the deficient supply of oxygen which always accompanies it will prove equally injurious, though in a different manner. Here not only is a poison introduced into the atmosphere, but that part of it which is indispensable to the support of life is withheld. We may remind our readers of the painful illustration of this fact in the Black Hole of Calcutta, where, out of a hundred and fifty-six of the British garrison immured by the orders of Nabob Surajah Dowla, it will be recollect only twenty-three survived a night of unexampled suffering and horror!

A ready illustration of the immediately fatal effects of carbonic acid gas in its concentrated state, when issuing from fissures in the earth, will be found in the Grotto del Cane, near Naples, and the Upas Valley in the island of Java. The former, a cave of limited dimensions, is constantly filled with this gas to the depth of several inches, into which if any small animal is thrown it speedily expires; and the latter, an open space of about half a mile in circumference and thirty feet

deep, without vegetation, is covered with the skeletons of men and animals, who have perished by their entrance into its deadly precincts. But, unhappily, we need not travel so far for ample demonstrations of the deadly effects of this noxious element. We frequently hear of individuals who have become its victims by incautiously falling asleep on the brink of limekilns, by kindling charcoal fires in close apartments, by descending into old wells, and in many other ways.

To some of our readers, we may appear to have dwelt unnecessarily long on, and used illustrations not quite relevant to, the matter in question; but so important do we deem the subject of ventilation, that we feel it impossible to lay the effects of air vitiated by respiration too forcibly before them. Assuredly the same agency that has whitened the Upas Valley with the bones of men and animals, and rendered the Black Hole of Calcutta so painfully celebrated, is pursuing its work of disease, if not of death, in every inhabited apartment where the means of securing an adequate supply of fresh air have been neglected.

The different modes of ventilation may now be briefly considered. The general method consists merely in an aperture in the wall or ceiling, which communicates with the outer air by means of flues, or tubes. The expired air, by means of its greater rarity, ascends and is supposed to pass out of the apartments by these apertures. It is almost unnecessary to say that this arrangement almost invariably fails to accomplish the object it contemplates, and is now abandoned, wherever the importance of a free ventilation is understood, in favor of the more recent and more effectual mode—by the fan and fire-draught. The former, the name of which sufficiently explains itself, is placed at the top of a flue, into which branches open from all parts of the building, and, being set in motion by steam or other power, draws air from every apartment communicating with it. This is certainly a very effectual method, and can be adopted, wherever steam-power is constantly used, at a very trifling expense. The fire-draught apparatus consists of a vertical chimney, from the base of which horizontal flues proceed to the different apartments. In this chimney a fire is kept constantly burning, the air necessary for which is drawn exclusively through the horizontal tubes, and of course from the

different chambers with which they communicate. This latter is the plan adopted at the Pentonville Penitentiary, and by it they are enabled to throw into each cell from thirty to forty-five cubic feet of fresh air per minute. At that institution, the fresh air is admitted near the ceiling, and the foul-air flues are placed near the floor; thus establishing a *downward current*, and thereby preventing the dust and effluvia from being inhaled by the prisoner.

CONSTRUCTION OF CESS-PIPES.

The cess-pipes should be constructed in such a manner as to prevent their usual emanations from escaping into the cells. We fear this precaution is too frequently overlooked or neglected; yet, when we state that one of the gases—sulphuretted hydrogen—thus generated is of so noxious a character, that atmospheric air which contains only $\frac{1}{177}$ th of its volume will destroy a bird; when it contains $\frac{1}{80}$ th of its volume, will kill a dog; and $\frac{1}{25}$ th, will prove fatal to a horse: moreover, that it exerts its deadly influence even when applied to the skin: we believe its importance will not be questioned. Hydro-sulphuret of ammonia, another highly deleterious and offensive gas, is also the product of the soil of privies; and, though we may not have the nauseous odor of the one, nor the pungent odor of the other, still the air may be contaminated from the same source by a third gas, carbonic acid, which is also highly poisonous, but, being inodorous, will not be detected by those who breathe it.

CLEANSING CELLS.

Washing the floors of the cells and workshops of a prison should never be permitted when they are occupied, as the dampness thus unavoidably produced would prove highly injurious to their inmates. Dry scrubbing is in every respect preferable, and we cannot imagine why its use should not be universal. The walls and ceilings of the cells should be frequently washed with lime—the more fresh and recently slackened, the better. When it loses its causticity, it becomes comparatively useless, either for absorbing carbonic acid, destroying animalculæ, or decomposing other animal or vegetable matter.

BATHING.

Arrangements for bathing the inmates once a week, or at farthest every two weeks, should never be neglected in the construction of a penitentiary; and if the prisoner could be induced to wash the entire surface of his body every morning with cold water, it would aid very much in the preservation of his health, both by shielding him against the effects of sudden changes in the temperature, and by keeping the pores of his body open. If those who content themselves with washing only the parts of the body which are exposed to view, were aware of the nature and functions of the skin, we believe they would be much more liberal in their ablutions. For the benefit, then, of this, we fear, a very numerous class, we may state, that the skin is studded with minute pores to the number of seven millions, the combined length of which is twenty-eight miles, and through these tubes are exhaled, as insensible perspiration, eleven grains of vapor per minute, or one pound and fourteen ounces in twenty-four hours. The secretion from the skin is depuratory and vicarious with that of the kidneys, both separating from the system matters which, if retained, would prove poisonous. Now, if the perspiratory secretion is arrested or obstructed, (as it must be more or less by a dirty skin,) not only will the kidneys be forced to assume a compensatory action, but indirectly the balance of healthy functions throughout the system will be disturbed.

DRY CELLS.

During the season when fires are kept burning, the cells of a prison will generally be dry; but often in the warmer months they will be found dripping with moisture, and the clothes and bedding of their inmates correspondingly damp. In such an atmosphere, the health of a prisoner must suffer by the exhalations from the lungs and the skin being more or less arrested, and, consequently, all the other functions of the body embarrassed or perverted—perhaps active inflammation of some important organ kindled up. For this evil there is probably no better remedy than the use of fire during its continuance. It may be supposed that the use of fire in the summer months

would prove insupportable; but we will leave those who have attended to their sensations when compelled to breathe a damp atmosphere to say, even on the score of comfort, (leaving healthfulness out of the question,) if they would not readily exchange it for a dry one of a few degrees higher temperature?

BEDSTEADS AND BEDS.

The frequent exposure of the beds and bedding to the open air should be regularly enforced upon the prisoners, and, if the former are of straw, it should be oftener changed than we believe is the habit in most penitentiaries. The use of close woollen "bunks" we consider highly objectionable, more especially if they, with their contents, are folded against the wall during the day. By this practice, the effluvia collected from the body of the prisoner by the blankets, coverlets, &c., is constantly retained by them; and moreover they are liable to become damp from long contact with the walls. Instead of the close wooden bottoms of the bunks, narrow slats, placed at a short distance from each other, should be substituted, so as to allow the air to circulate through the bed and its covering.

APPAREL.

In this climate, flannel under-clothes are indispensable at least six months in the year, and, even during the summer, we believe that loose flannel shirts and woollen pantaloons are in every respect preferable to the cotton fabrics generally in use in that season. At the Eastern Penitentiary, we are informed that the adoption of this rule has materially added to the general health of the prisoners. It is needless to say that the clothes of the prisoner should be regularly and thoroughly washed—not that kind of washing after which it would be hard to determine whether the articles submitted to it were not made worse instead of better. The importance of thoroughly drying the clothes before they are returned to the prisoner should never be lost sight of, else rheumatism and catarrh would be frequent, and, in those so predisposed, more serious maladies would be called into action. If the open air, or exposure under sheds, be depended on for this purpose, they will frequently fail to accomplish it in due time; hence, a regularly constructed drying-

house should form a part of the hygienic arrangements of every penal institution. A drying-house is simply an apartment of convenient form and dimensions, heated to several degrees above the temperature of the external air, in some convenient manner, and having racks or lines across it, on which to hang the articles to be dried.

EXERCISE.

At least an hour's exercise daily in the open air we consider an indispensable part of the discipline of a separate prison. The yards necessary for this purpose should never be placed in immediate contact with the cells or workshops, but at a distance from them, as the necessarily high walls would exclude the air and sun from the latter, and, in addition, prove a source of damp.

LABOR.

Unhappily, it is not always in the power of prison authorities to select the labor for their convicts; but, as far as this is possible, the more unhealthy occupations should be excluded, and those that are known to be healthy, such as carpentering, blacksmithing, turning, chair-seating, &c., adopted. But even the more unhealthy occupations could be rendered comparatively harmless, by an intelligent selection of the prisoners to be employed at them, the adoption of such expedients as experienced workmen find useful in diminishing their injurious effects, and proper attention to all known hygienic measures. In all prisons, however, a certain number of convicts will be found who cannot safely be confined to the limits of a cell. These are men of strong physical frame and unusual development of the animal passions, with minds, though not to the extent of imbecility, inordinately dull. In the open air, and at some laborious employment, must these prisoners be kept, and the greatest possible portion of social intercourse afforded them, consistently with their separation from each other. Any separate prison where the means of thus treating this class of convicts do not exist, or are neglected, will assuredly have a development of insanity highly discreditable to its administration, and

well calculated to deter thinking minds from recommending the adoption of the system in other States or countries. Provision should also exist for giving suitable out-door employment, from the day of their reception, to prisoners whose bodily health is imperfect, as well as to those whose health, originally good, may show symptoms of decline when engaged at one of the more unhealthy in-door occupations.

DIET.

Not for the mere purpose of gratifying the palate, but because we know it to be essential to health, do we recommend and insist upon the necessity of as great a variety as possible in the dietary of a prison. If the food is the same from day to day, though it may be chewed and swallowed, in the mouth it will fail to stimulate that flow of saliva, and in the stomach to call forth that degree of nervous energy, so essential to a thorough and healthy digestion. We have long entertained the belief that the diet of prisoners should contain a larger amount of fat than it generally does. The physiological laws on which this opinion is founded, our space will not permit us to detail; but certain are we that it is substantially correct. Of the beverages of tea and coffee we are entirely in favor, but certainly not of the quality and in the quantities which we have seen administered, viz., the leaf and berry being of the worst possible quality, boiled for some hours in an iron boiler and sweetened with molasses, and then served out in such quantities as cannot fail to injure the digestion of those who use it. Here, had the quantity been reduced to proper limits, the quality could have been materially improved without any additional expense.

We have purposely omitted any allusion to the topics of social intercourse, moral, religious and literary instruction, libraries, &c., as those subjects have been sufficiently discussed in other connexions.

ARGUMENT FROM ANALOGY.

Some of our readers may consider that the convict is in no way entitled to the care which we deem necessary to bestow upon the preservation of his health; and it is highly probable that we would entertain the same opinion, could we be persuaded that man, even in his most degraded state, is less worthy

of consideration than "the beasts that perish;" and are not the hygienic measures which we ask for the prisoner, each and all, claimed for, and (by every humane and intelligent owner) granted to, the horse?

We say the prisoner should be supplied with an abundance of fresh, pure air. Consult a veterinary surgeon on the construction of your stables, and he will tell you that they must be well ventilated, for that "the effect of several horses being shut up in the same stable is completely to empoison the air," and that, under such conditions, they will be affected with "sore throat, and swelled legs, and bad eyes, and inflamed lungs, and mange, and grease, and glanders."*

Should you tell him that you have seen horses thrive very well in close, hot stables, he will answer that farm-horses, that spend so much of their time in the open air, may more or less resist such injurious influences, but that where the horse stands four-fifths of the day, as well as the entire night, in his stall, he will certainly be affected as he has already told us. Then he will perhaps tell you of Professor Coleman's "system of ventilation," of which "much evil was predicted; but that, after a time, diseases that used to dismount whole troops, almost entirely disappeared from the army."

We say that the prisoner should be supplied with an abundance of light. The veterinarian will tell us that if the horse is kept much in his stall, "so far at least as the eyes are concerned, a dark stable is little less injurious than a foul and heated one;" and at the same time he will probably warn us against "too glaring a light," and even advise us that the color of the walls should depend on the quantity admitted.

We ask that the prisoner should have at least an hour's exercise daily in the open air. The veterinarian informs us that "a stable-fed horse should have two hours' exercise every day, if he is to be kept free from disease. Nothing of extraordinary, or even ordinary labor can be effected on the road, or in the field, without sufficient and regular exercise. It is this alone which can give energy to the system, or develop the powers of any animal."

* This and the following quotations will be found in Youatt's Treatise on the Horse, between pages 366 and 373, American edition.

We say that the prisoner's health would be promoted by personal cleanliness, and recommend for that purpose that he be furnished with the means of bathing the entire surface of his body once a week, or at farthest every two weeks. The veterinarian, with the same object in view, tells us that "good rubbing with a brush or currycomb opens the pores of the skin, circulates the blood to the extremities of the body, produces free and healthy perspiration, and stands in the room of exercise."

We insist that the prisoner should be preserved from the injurious effects of emanations from privies. The veterinarian says, "the air of the improperly close and heated stable is still farther contaminated by the urine and dung, which rapidly ferment there, and give out stimulating and unwholesome vapors."

We recommend that the straw of the prisoner's bed should be frequently changed; and in respect of the horse's litter, the veterinarian says that "the first caution is, frequently to remove it."

We deem the variety and quality of the prisoner's food worthy of consideration; and there is no division of stable management on which the veterinarian dwells more earnestly, or more at length, than on the food of the horse.

We consider the construction of the prisoner's bunk a matter of some importance. The veterinary surgeon deems the form of the horse's stall worthy of attention, telling us that it must be roomy, and that the floor "must slant towards the gutter, and the declivity must not be so great as to strain the back sinews, and become an occasional, although unsuspected cause of lameness." Should any one doubt the necessity for this precaution, let him "stand for a few minutes with his toes higher than his heels, and the pain he will find in the calves of his legs will soon convince him of the truth of this remark." It is highly probable that not one horse-owner in a thousand is aware of the fact we have stated, though it is almost daily demonstrated; for, wherever the declivity of the stall is too great, "when a horse is not eating, he always endeavors to find his level, either by standing across the stall, or else as far back as his halter will permit, so that his hind legs may meet the ascent on the other side of the channel." And

have we not parallel cases in impure air, imperfect light, deficient exercise, &c., the ill effects of which are daily staring thousands in the face, while not one in a hundred is aware of the true cause of the evil?

If the injurious effects of these privations could be presented to view by experiments as impressive and as harmless as that of standing with the toes higher than the heel, we should be amazed at the stupidity of those who could not apprehend them, and at the inhumanity of those who would needlessly neglect to remedy them.

But our space will not allow us to indulge in any farther pursuit of this analogy. We have only to say, in addition, that though it may be that society is not bound to go out of its way, or to put itself to extraordinary expense, in order to save the convict from the pain or suffering of disease—though it may be that he is not worth so much care or thought—yet, as a matter of mere pecuniary interest to the community, it is obviously better to have an able-bodied workman in the shop, than a languishing patient in the hospital. This argument to men's purses, often strikes a vein of emotions which is not reached through the heart.

APP. IV.—BRITISH PRISONS.

WE have received the report of a select committee on Prison Discipline, made to the House of Commons in July last, with minutes of evidence, &c., making altogether a folio of nearly one thousand pages. Our present number, though extended sixteen pages beyond our limits, is too much crowded to allow even a very general synopsis of its contents, and we shall therefore confine ourselves to an abstract of the proceedings of the committee, leaving the bulk of the volume for future notice.

The committee was appointed “to inquire into the rules and discipline established with regard to the treatment of prisoners in jails and houses of correction in England and Wales, and into any improvement which can be made therein;” and they

present the result of their inquiries and investigations in twenty-seven propositions, each of which was discussed in the committee.

In the course of these discussions, there was a fair opportunity to take the sense of the committee on a variety of schemes which have been urged for the reform of prison discipline; and we are happy to say that the result of all their deliberations is ENTIRELY AND CONCLUSIVELY FAVORABLE TO INDIVIDUAL SEPARATION.

1. They express the opinion that *every prison* ought to contain such a number of cells as would enable *each prisoner* to be kept separate *by day as well as by night*, both before and after trial.

2. They speak of individual separation as adopted in Pentonville, and in many county and borough prisons, and regret that there is so great a want of uniformity in applying it; and though "the evidence as to the result of the system is in some respects conflicting, [yet the great preponderance of evidence, including that of almost all the visiting justices and officers of the prisons in which it has been in operation, and who were examined by the committee,] is highly favorable to it; and the committee express their own opinion, that, if conducted under proper regulations and control, SEPARATE CONFINEMENT IS MORE EFFICIENT THAN ANY OTHER SYSTEM WHICH HAS YET BEEN TRIED, BOTH IN DETERRING FROM CRIME AND IN PROMOTING REFORMATION."

It was proposed in the committee to strike out the words which we have included in brackets, and which constitute really the marrow of the opinion; but upon a division the vote stood seven to three, and of the three was Mr. Pearson, who rides another hobby.

3. Another resolution of the committee is that "individual separation ought to be applied to all prisoners before trial, as it is essential, in an especial degree, that such prisoners should be secured from all intercourse with other prisoners;" and "the ONLY MODE by which this object can be properly attained, is by their individual separation, under such modifications as are consistent with due consideration of the fact that they are committed for safe custody, and not for punishment."

4. They farther resolved that individual separation ought

also to be continuously applied to all prisoners under all sentences of imprisonment not exceeding three months, such not being subject to mental or physical disqualification; and that it ought also to be applied to prisoners under long sentences, during the earlier period of their imprisonment; but this committee does not recommend that it should in ordinary cases be enforced for a longer period than twelve months." It was proposed in the committee to reduce this term from twelve to six months, but the proposition was rejected by a vote of seven to three.

The duration of any punishment is an entirely different question from that of its nature or manner, and depends exclusively on its relations and connexions. Where (as in England) a sentence of imprisonment is, in so many cases, merely introductory to a sentence of transportation, this last being the burden of the punishment, the prison serves rather as a training-school than as a penitentiary. The term of imprisonment, therefore, must have reference to the desired results.

For example, a system of prison labor is in operation at the island of Portland, where eight hundred transports are daily employed in getting out stone. Captain Whitty, the governor, says he does not think the discipline of these prisoners suffers from their working in association; but, by the regulations, all such prisoners are required to be from seven to twelve months in separate confinement, in government prisons, before they are placed under his charge; **AND HE DOUBTS WHETHER HE COULD OTHERWISE KEEP THEM UNDER CONTROL.** Now, it is very obvious that six or twelve months' strict subjection to separate imprisonment may amply suffice to prepare convicts for the custody of *Captain Whitty*. But it is quite another question how far the period of separation should be extended, where (as in our prisons) the convict is to go—not to a convict colony, nor to a secluded island for compulsory labor, but—as a freeman, into the busy throng of the city, and the haunts of business, pleasure and vice. Let the convict himself choose between a year's imprisonment in a separate prison, and then banishment to a distant colony for seven or ten years' servile labor there, on one side; and on the other, two, or even three years' imprisonment in the same prison, and liberty at the end of that

period to go at large, and re-establish himself in the confidence of society; and see which he will regard as the severest doom.

We maintain that every argument which weighs with British legislators and philanthropists in favor of individual separation for short sentences, has tenfold force when applied to the penitentiary institutions of our own country. Their convicts, when discharged from prison, are not released from punishment; they are only passed from one set of keepers and one mode of discipline, to another. What we do to fit our convicts for returning to society, we must do in prison, or not at all; and hence we must concentrate upon them, *while in their cells*, all the reformatory, deterring and training influences that the British laws extend through seven or ten years of discipline, including the prison, a long voyage in the convict-ship, and a residence for a term of years in a penal colony at involuntary labor.

This complex feature in the criminal discipline of England is evidently a favorite one, and is likely to be permanent. The report before us recommends that "after prisoners under long sentences have undergone a period of separate confinement, the remainder of their sentences should be passed under a system of *combined labor*, with effectual precautions against intercourse." They add that this object would be "greatly facilitated by the erection of 'district prisons,' to be built and maintained at the national cost, for the reception of prisoners under long sentences, after they have undergone such previous confinement. The establishment of such a class of prisons, it is supposed, would lead to the substitution of long terms of imprisonment for short terms of transportation; and perhaps some may regard it as a stepping-stone to the entire abolition of the transportation system. For it is well known that the embarrassments of the British government in respect to their penal colonies have been, of late, greatly multiplied and aggravated; and the causes of embarrassment will necessarily become more formidable as the convict-settlements improve and enlarge. The attempt to burden the United States with their surplus convict-population is not likely to succeed, especially if our government continue to be vigilant and determined in their resistance; and it is not impossible that the resort will finally

be to some scheme for the employment of large numbers at profitable labor, under rigid supervision, at home.

This brings under the notice of the committee the plan of Mr. Pearson, member of Parliament, to whose theories we have more than once called the attention of the readers of our Journal. He proposes the erection of "a large prison, or prisons, in the centre of some hundreds of acres of land, which he thinks might be profitably cultivated by the prisoners, without interfering with their discipline or reformation, while it would secure for them constant hard work, and thus materially reduce the cost of their maintenance." There is evidently a distrust of the practicability of Mr. Pearson's plan, although, from being a member of the committee, he had the best possible opportunity to urge its claims to their confidence. The most they say of it is that it is "entitled to the serious consideration of the government, especially in connexion with the plan of district prisons."

In respect to the lighting, heating, and dietary of prisons, the committee recommend that no convict "be left in darkness for more than the longest time that can be required for rest, viz., eight hours;" that "no more artificial heat be introduced into cells than is absolutely requisite for the preservation of health;" and that "the diet should invariably be kept as low as is consistent with the health of the prisoners."

Among the specious but unsound objections which have been urged against the system of convict-separation, is, that it affords no opportunity to test the principles of a prisoner. It would seem that this objection has found entertainment abroad; for one of the committee offered a resolution that "an attempt to enforce good order and moral improvement amongst prisoners, by excluding them from a possibility of doing wrong, or misconducting themselves, by absolute separation and non-intercourse, is an inadequate and unsatisfactory method of dealing with human beings," &c. The resolution was rejected by the committee, and we have called attention to it because the same notion has been industriously propagated by some "rose-water" reformers of prison discipline in our own country, and with an air of authority not a little imposing.

There might be some force in this objection, if the only inter-

course of a prisoner must necessarily be with his fellow-convicts. If we were required to fortify him against the temptations of criminal associates, with whom he would be obliged to mingle, whether he would or not, it might be wise to give him proper opportunities gradually to try the strength of his new principles. But prisoners, under the most rigid separation from their comrades, can do wrong and misconduct themselves in a variety of ways. Uniform obedience to the laws of the prison, a disposition to receive and profit by good influences, from whatever source they flow, and a manifest desire to throw off criminal habits and associations, can be as unequivocally shown in the daily routine of duty in the cell, alone, as in the workshop, with others. Though a disposition to revolt may find no excitement in a separate cell, a disposition to improve may. Though the power of evil motives may bear with less force upon the unhappy man there, the power of good motives has freer scope. He has tried criminal associations exclusively for months or years; why not try virtuous associations as long? What course is pursued in analogous cases of discipline? A wayward, dissipated youth must be completely **SEPARATED** from his vicious companions. To this end, he is sent on a distant voyage in a temperance ship, with an exemplary master and a clean-mouthed crew. With his return, at the end of three years, comes a critical moment in his career. Will a wise father send him to the billiard-room, or into scenes of riot and debauchery, to ascertain whether the voyage has improved his habits? Or will he seek instant and constant employment for him, at the greatest possible distance from temptation, and under circumstances most favorable to his continuance in the ways of well-doing, if haply he has found them?

In some respects, the test of character is much more satisfactory when employed upon convicts in a state of separation. They act more independently, and are less disposed to disguise their real emotions, and to assume an appearance of indifference or hardihood. If our discipline succeeds, it gives a new direction to the aims and hopes of the prisoner, creates a distaste for the haunts and habits which were once his delight and boast, and leads him to seek and value the society of the upright and honest. Is it wise to kindle anew the almost

extinguished fires of intemperance and lust? Shall we not rather heap on the ashes and keep off the wind, until all apprehension of danger from them may be dismissed?

In our next number we shall pursue our examination of this very valuable document, and cull from it much interesting and important matter.

SHORT NOTICES.

No. 1.—*A Happy Reformation.*

A convict who was discharged from the Eastern State Penitentiary about three years since, recently called on a member of our Acting Committee, from whom he had been accustomed to receive friendly visits while in confinement. He was well dressed, and evidently a thriving man. He stated that he had derived much benefit from a treatise on book-keeping, which he had used in his cell—that it had been the means of his introduction to commercial business, which he was now prosecuting in a neighboring city, with good success—that he had married eligibly—that he had never been recognised as a convict, and felt confident he should not be. He observed to his friend, that the term he spent in prison was “the making of him.”

No. 2.—*Evils of Association.*

We regret to learn that the individual separation of the inmates of the Philadelphia County Prison is not more rigidly maintained. There can be no doubt that the law establishing the prison, contemplates this as a radical and fundamental principle of the administration of the discipline therein; and we presume there must be some good and sufficient reason for the violation of it. There is ground to believe that, in many important respects, the structure itself, and the method of discipline pursued in it, may be improved. The ventilation is represented to be quite defective; and many instances of improvident commitments, and unreasonable detentions, or postponements of a hearing, have been lately brought to the knowledge of our Acting Committee. The most vigilant and faithful official inspection of an institution containing so large a number, and such various classes of prisoners, will not suffice to prevent abuse, or redress the plainest wrongs.

It is not unusual to find two convicts occupying one cell, and sometimes, we are told, even three. A visiter who had always been welcomed by an inmate, and always disposed to receive a book or tract, and to converse

freely, was found in a cell, in company with another convict; and his demeanor was entirely changed. The influence of his comrade over him was such, that he now declined to receive a tract, and was reluctant to converse, or show any interest in the visiter's call.

No. 3.—“Dickens” Again.

Those of our readers who are familiar with the history of the Prison Discipline question in the United States, may remember a funny affair that happened at the Eastern State Penitentiary when Dickens, the novel-writer, was there on a visit.* Accustomed, as he had been, to look at incidents and personages in the dress of fiction, he very imprudently attempted to look at them as they really are; but it was too much for him—the effort was unsuccessful. In spite of all he could do, things would appear as they were not.

Some of the convicts were shrewd enough to see his infirmity, and they very wickedly took advantage of it, and imposed upon him egregiously. “*Three young women*” more especially moved his sympathy, of whom, had he known more, he would have written less.

Now, there is scarcely anything a man will not forgive sooner than being made a fool of; and hence we are not surprised to find a chapter in “*David Copperfield*” specially devoted to a satire upon the whole subject of Prison Discipline. It is the old grudge under a new phase; and we will venture to say that the false impressions made by that single chapter in “*David Copperfield*” will exceed in number and in depth all the really useful truths that the author's tongue or pen has, until this day, expressed. If this achievement affords any satisfaction to an author, *Charles Dickens*, Esq. has a good title to it.

No. 4.—*Juvenile Offenders*.

A new and spirited movement has just been made towards the erection of a House of Refuge in Pittsburgh.

The Governor of Ohio, in his late message, strongly recommends the establishment of a Reform School, after the model of the institution at Westborough, Massachusetts.

No. 5.—*Burning of a Lunatic Asylum*.

The State Insane Hospital at Augusta, Maine, was burned on the 4th of December. The fire is supposed to have taken place from some defect in the

* See *Journal of Prison Discipline*, Vol. I., No. I., pp. 46 and 87.

heating apparatus. There were 79 male and 47 female patients in the house at the time of the fire. The female ward being farthest from the origin of the fire, its inmates were all rescued without difficulty. From six to twelve of the male patients, it is feared, perished.

A similar calamity befel the Royal Lunatic Hospital at Upsal, in Sweden, by which twenty-three inmates perished.

No. 6.—*A Reasonable Convict.*

A notorious burglar was lately sentenced at Toronto (Canada) to twenty years' hard labor in the Provincial Penitentiary. He was found guilty on two indictments, and condemned to ten years' imprisonment on each. When brought up to hear the judgment of the court, he was asked if he had anything to say why the penalty of the law should not be pronounced against him. He replied as follows:

"No, my lord—I have violated the laws of my country. I have been tried by an impartial jury and convicted, and I humbly bow to their decision—throwing myself entirely upon the leniency and mercy of the court. There are, however, two favors which I would ask, if a felon in the dock dare ask a favor; first, that as I have no means of my own, though a portion of the money taken from me belonged to myself, the court would see my counsel properly feed, as he has ably, though unsuccessfully, defended me. The second is, that when I am sent to the penitentiary, they would intercede and have me taught some trade or profession, in order that, should I ever be released from it, I may be able to earn an honest livelihood. I attribute my present course of life solely to the circumstance that I was never brought up to any trade. Should I not be taught any occupation while in the penitentiary, when I come out, I shall be friendless, homeless, penniless, and ragged; and I must necessarily resume my old habits, and become what I was before—a robber."

No. 7.—*Army Enlistments.*

Instances are not rare in which great distress is occasioned to families and individuals, in consequence of rash enlistments into military service. Without discussing the expediency or justifiableness of military establishments, or of their concomitants and results, we may say without offence that it is very humbling to see under what circumstances they are sometimes recruited. It was stated lately in the *New York Courier* (we believe) that a surgeon in the United States' army recently desired to know the most common cause of enlistments. By permission of the captain of the company, containing fifty-five, on a pledge never to disclose the name of any officer or private, except as a physical or metaphysical fact, the true history was obtained of every man. On investigation, it appeared that nine-tenths enlisted on account of female difficulty; thirteen of them had changed their names, and forty-three were either drunk, or partially so, at the time of their enlistment! Most of them were men of fine talents and learning, and about one-third had once been in elevated stations in life. Four of them had been lawyers, three doctors, and two ministers. The experimenter believes, if it were not for his pledge of secrecy, that this would be as interesting a history, and would exhibit the frailty of human nature as fully, as any experiments ever made on the subject of the passions.

No. 8.—Advantages of Seclusion.

A convict who had formerly resided in one of our flourishing coal marts, was quite reluctant to return thither on his discharge, as he knew his infamy "would be thrown up to him." A benevolent friend, having become acquainted with his history and character, and feeling confidence in his reformation, by the aid of our Acting Committee secured a passage for him to a distant city, where he has the most favorable opportunities to secure a character and a living. *He feels secure against being recognised, as he knew no one in prison, and was confident no one knew him as a resident there.*

No. 9.—Charitable Bequests.

Princeely provision is made by the will of the late JOHN M'DONOUGH, of Louisiana, for the establishment of charity schools, on an extensive scale, in New Orleans and Baltimore. Large bequests are also made to several other benevolent institutions.

The late JOSIAH WHITE, of Philadelphia, provided in his will for one or more "manual labor schools for poor children, white, colored and Indian," to be located in the "free States in the West," and to be under the care and management of "Friends." Various local institutions, humane and charitable, receive also liberal bequests under his will.

No. 10.—Unsteady Habits in Connecticut.

There were, lately, five persons lying at one time in the prisons of Connecticut, under sentence of death for murders committed under the excitement of strong drink; and while awaiting their execution, a sixth murder occurred from the same cause.

A public journal informs us that there have been 276 commitments to New Haven county jail during the year, of which 270 were persons more or less intemperate. *Seven-tenths* of all the crimes committed in the county are officially pronounced to have been done under the influence of strong drink. Pauperism, and all the brood of evils which spring from this source, are on the increase. Are the drinking-places licensed or forbidden?

**No. 11.—PHILADELPHIA. Monthly Returns of the County Prison.
—Blockley Almshouse.—Street Begging.—Police.**

MONTLY RETURNS OF THE COUNTY PRISON.—By the kindness of one of the officers of the Philadelphia County Prison, we are furnished with the following report of the admissions and discharges for five months preceding November 1, 1850:

		WHITE.		COLORED.		Total	Gr'nd total	
		Male.	Fem.	Total	Male.	Fem.		
MAY 31.	Remaining	154	46	200	66	72	138	338
IN JUNE,	Received	451	148	599	61	82	143	742
	Total	605	194	799	127	154	281	1080
	Discharged	463	159	622	70	81	151	773
JUNE 30.	Remaining	142	85	177	57	73	130	307
JULY.	Received	400	135	535	75	69	144	679
	Total	542	170	712	132	142	274	986
	Discharged	381	111	492	59	65	124	616
JULY 31.	Remaining	161	59	220	73	77	150	370
AUGUST.	Received	474	138	612	84	83	167	779
	Total	635	197	832	157	160	317	1149
	Discharged	508	179	687	64	84	148	835
AUG. 31.	Remaining	127	18	145	93	76	169	314
SEPT'R.	Received	415	110	525	69	87	156	681
	Total	542	128	670	162	163	325	995
	Discharged	427	104	531	57	66	123	654
SEPT. 30.	Remaining	115	24	139	105	97	202	341
OCTOBER.	Received	332	98	430	90	79	169	599
	Total	447	122	569	195	176	271	940
	Discharged	346	113	459	67	67	184	593
Oct. 31.	Remaining	101	9	110	128	109	237	347

Several curious facts are disclosed in this return:

1. Comparing June with October, we find that the number of white prisoners received in the last month is less by 169 than in the first; while 26 more colored prisoners were received in the last month than in the first.
2. The grand total received in June was 742, and in October 599, or a decrease of 143.
3. The total on hand August 1, and received during the month, was 1149; while the number remaining on hand October 1, and received during the month, was 940; a decrease of 209.
4. The total of colored prisoners remaining on hand September 1, and received during the month, was 325: the total remaining on hand October 1, and received during the month, was 271; or a difference, between the successive months, of 54.
5. There remained in prison, June 30, white prisoners 177, colored 130; and there remained in prison, October 31, 110 whites, and 237 colored being 47 less whites, and 60 more colored, in October than in June.

BLOCKLEY ALMSHOUSE.—The population of this institution, at a late day, numbered 1770. There were but seventy-two colored inmates. The total number is said to be less than at the corresponding date of several former years.

STREET BEGGING.—This revolting and corrupting nuisance seems to be rather on the increase in Philadelphia, notwithstanding the means of relief through benevolent associations of various orders, and through private charity, are multiplied. It is said to have almost disappeared in New York, in consequence of the enactment of some stringent ordinances, and a more efficient execution of existing laws touching the employment of all such persons as are found in habits of vagrancy. We suppose few of our readers can fail to have met with cases like the following, which we find in a Philadelphia religious newspaper, (the Banner of the Cross:—)

NEW WAY OF BEGGING.—We live in days when few are disposed to say, “to beg I am ashamed.” Begging seems to have become a regular calling, and is classed among *the professions*. Indeed, it requires no little wit and knowledge to practise it successfully. Some of the *regular professions* seem now to require less ability.

The ingenuity displayed by our *professional* beggars is often remarkable. Simple-minded charity is too often an easy dupe. Children are sometimes employed as agents in accomplishing these purposes. We consider it a duty to warn our readers against all such impositions.

The other day we saw an interesting little boy sitting upon the step of a door, and crying bitterly; at least, the tears fell very fast. We asked what was the matter. “I have lost my mother’s money,” was the answer. “How much was it?” “Two shillings, sir.” Just then a little, bright-eyed girl, with face beaming like an angel’s on a message of mercy, brought the sum to the little mourner, and at once his tears were dried up. Dear little girl, we thought, you shall sleep sweetly to-night, and think with innocent joy that the angel’s blessed ministry has been your lot to-day.

A day or two after we saw the *same* little boy, not far from the same spot, weeping just as bitterly. “What is the matter?” “I have lost my mother’s money.” “How much?” “Two shillings, sir.”

It was the *same* little wretch whose *feigned* misery the *real* charity of our little angel of mercy had relieved before. Verily, it is sad to think that we live in days when wolves are to be found even in lambs’ clothing.

What a mercy it would be to such a child, and what an ultimate profit to the community, if he could be put at once within the reach of wholesome discipline, good schooling, and comfortable provision for his physical wants! What egregious folly to allow him to pursue a course of life which naturally and almost necessarily tends to make him a pauper or a rogue, or both!

PHILADELPHIA POLICE.—The total number of committals to the city lock-up for the month of November was 625, viz., white males 477; white females 63; black males 59; black females 26. Two of the prisoners were charged with murder, 48 with larceny, 7 with passing counterfeit money, and 9 with beating their wives.

No. 12.—*NEW YORK. Criminal and Humane Institutions.—Police.—Workhouse on Blackwell's Island.*

CRIMINAL AND HUMANE INSTITUTIONS.—The following table exhibits the population of various public institutions, October 19:

	Rem'g, Oct. 5.	Adm'd.	Died.	Disch'd.	Rem'g.
Bellevue Hospital,	529	82	7	85	519
Lunatic Asylum,	485	6	0	7	484
Almshouse,	1048	56	2	39	1063
Penitentiary, including Hospital,	968	62	1	119	910
Small-Pox Hospital,	11	1	0	7	5
Randall's Island, including Hospital,	1248	22	1	14	1255
City Prison,	238	286	1	295*	228
Penitentiary Hospital,	193	39	0	33	199
Nursery Hospital,	150	20	1	21	148
Totals,	4870	565	13	620	4811

These institutions contained the following number of inmates on the 16th of November:

Bellevue Hospital,	539
Lunatic Asylum,	469
Almshouse,	1123
Penitentiary,	818
Small-Pox Hospital,	13
Randall's Island,	1276
City Prison,	213
Total,	4451

The admissions to the Small-Pox Hospital are on the increase, principally from among emigrants. This is the season when the disease is usually most prevalent.

POLICE.—The quarterly report of the Chief of the Police of New York city shows that during the quarter ending Sept. 30, 10,010 persons were arrested, being an increase of 1,786 over the previous quarter; 825 burglaries and larcenies are reported, and 1,030 persons arrested for the same. The value of all the goods taken by burglars was \$3,105 70; by grand larcenies, \$14,715 35; and by petit larcenies, \$2,685 28. The amount of property recovered was, in the aggregate, \$11,159 83, leaving a loss of \$9,843 53. The police also recovered property to the amount of \$21,509, stolen from other counties in that State. The effective police force amounts to 896 men. The number of licensed liquor-selling places is 4,267; unlicensed, 718; those which sell on Sunday, 3,716; whole number of taverns, etc., 4,985. There were 7,589 persons accommodated with lodgings, 1,204 lost children restored to their parents or guardians; 204 sick or injured persons aided; 35 rescued from drowning; 44 fires extinguished; 376 stores or dwelling-houses found open and secured; 94 cattle and 75 horses found astray and restored to their owners by members of the department; and \$10,534 25 taken from drunken persons and lodgers, and restored to them again.

WORKHOUSE ON BLACKWELL'S ISLAND.—In a notice of the New York prison report, constituting the first article in our present number, we

* Sent to Penitentiary, 59; to State Prison, 4.

have alluded to this establishment. The corner-stone of the new edifice was laid a few weeks since, in the presence of a large number of citizens. Simeon Draper, Esq., President of the Board of Governors, and the Mayor of New York, delivered addresses previous to the ceremonies, and other distinguished gentlemen participated. The act of the legislature, authorizing the erection of the workhouse, provides that the superintendent of the almshouse shall have discretionary power to send to the workhouse such paupers in the almshouse as are capable of working, as well as all persons applying to him for work, and others committed as vagrants. The superintendent of the establishment is required to use every means to furnish convicts and paupers with work, taking care, however, that no such employment shall conflict or come into competition with any mechanical or other business pursued by the people of the State. The time appropriated for labor has been fixed at ten hours, and the criminals are to be classified as far as possible. Accounts are to be kept with all paupers of work performed, and the surplus proceeds thereof, after paying expenses of boarding, &c., are to be paid to them in cash at the time of their discharge. The building will measure 750 feet long, and 450 feet deep, fronting on New York Island. The architecture is to be after the Norman style of the twelfth century, and the structure is to be formed of the gray stone found on the island, which the prisoners are to prepare for building purposes. There will be six hundred dormitories, together with laundries, dying-rooms, mangle-rooms, &c.

No. 13.—BOSTON. *Financial and Criminal Institutions.—Arrests.—Employment for the Poor.*

FINANCIAL AND CRIMINAL INSTITUTIONS.—During the year ending May 1st, 1850, the receipts by the Treasurer of the city of Boston amounted to \$3,652,982 28, and the expenditures to \$3,591,121 96. The receipts from taxes amounted to \$1,134,235 98; from water rents, \$61,584 11.

The chief items of the expenditure have been, for the Fire Department, \$63,104 45; House of Correction, \$23,756 69; the Common, \$15,203 49; House of Industry, Deer Island, and Deer Island Hospital, \$71,134 73; Health and Quarantine Departments, \$78,291 37; interest on debt, \$64,365 59; Overseers of Poor, \$24,500; Police, \$41,822 49; Night-watch, \$77,779 72; schools and school-houses, \$311,494 95; sewers and drains, \$21,126 18; for paving streets, \$153,417 76; widening do., \$68,511 09; lighting do., \$48,531 83.

Of the expenditures, \$277,995 95 were for extraordinary matters, such as the new jail, almshouse at Deer Island, filling up flats, &c.

The new jail on North Grove street is now nearly finished, and will cost, with the enclosed walls, &c., \$480,000. The lot contains 143,332 feet. The building is 269 feet long, breadth 173 feet; it covers an area of 19,600 feet, and will accommodate 220 prisoners in separate cells. It will be ready in November next.

The new almshouse at Deer Island will cost about \$150,000, will accommodate about 1500, and will be finished in November. It is of brick, 325 feet long, 275 in breadth, and covers an area of 28,000 square feet.

The city debt, on the 1st of May, 1850, exclusive of the water loans, amounted to \$1,731,938 79; being an increase on the previous year of \$184,421 23.

The water debt, at the same time, was \$4,463,205 56, the average annual interest on which is 5.72 per cent.

ARRESTS.—During the three months ending Sept. 30, the night-watchmen

arrested 3,355 persons in Boston, of whom 161 were charged with intoxication. Five hundred and eighty-six of the whole number were females. In the above-mentioned time, 110 stores were found by the watch open and wholly unfastened.

EMPLOYMENT FOR THE POOR.—The Boston Society for the Prevention of Pauperism, within the last ten years, has supplied 24,574 girls and women with employment. Of this number, 14,142 have been furnished with places out of the city. On an average, nearly twenty-five hundred places have been furnished, and more than one thousand applicants have been sent into the country each year. This is justly thought to be a very satisfactory result.

No. 14.—**LONDON.** *Supply of Water.—Baths and Wash-houses.*
—*Asylum for Idiots.*

SUPPLY OF WATER.—The number and magnitude of the evils which flow from the inadequate supply of pure water, in a city like London, are incalculable. They beggar description, and baffle almost every sanitary effort for the moral improvement of its dense population. Without this essential element of life, neither cleanliness, decency, nor health, can be preserved. Few persons can form an adequate conception of the miseries endured by the poorer class for a long series of years, in consequence of their supply of water being deficient in quantity, and of a quality most detrimental to health. The nine water companies which at present supply the metropolis, furnish 270,581 private dwellings with 44,388,332 gallons per diem. From this gross supply has to be deducted, for daily flowing, 492,350 gallons, and 753,707 gallons more for watering the roads. The number of dwelling-houses supplied by the various companies, amounts to 270,581. The total number in the metropolis, so far as ascertained by the income-tax assessments, is 288,037; leaving 17,456 houses, or six per cent. of the entire number of metropolitan dwellings, without a water supply! But, in a large majority of cases, the supply actually given is so intermittently and unequally distributed, as to leave the abodes of the poor, at one time, entirely destitute of water, and at another flooded with a wasteful supply.

BATHS AND WASH-HOUSES.—By a majority of three to one, it was resolved, a few weeks ago, by the corporation of London, that "it be referred to a committee to consider the propriety of the Corporation erecting baths and wash-houses within the city for the use and convenience of the laboring classes resident therein." It was stated that two sets of baths and wash-houses are contemplated: one in the ward of Aldgate, the other in the new street leading from Holborn-bridge to Clerkenwell. In thus disposing of a portion of the city funds the Court of Common Council are not embarking in any speculation. It is now established beyond cavil that baths and laundries in London are self-supporting institutions. From the 1st of January to the 27th of October, in the present year, there were upwards of 100,000 bathers in the Baths at Goulston square. In the St. Martin's-in-the-Fields baths there were, during the same period, nearly 170,000 bathers. The amount received from the bathers alone, at these establishments, was £3,800. The expense of supplying the baths is estimated at between one-half and two-thirds of the amount charged for them, so that a handsome amount remains applicable to the defrayment of the interest on the capital expended on the building. The Liverpool Baths and

Wash-houses, which were the first established in England, are also financially successful. The original edifice in that town was a small building, inconveniently situate. In consequence of its success, a second, and a much handsomer, building was constructed. So well has this succeeded, that a third set of baths and wash-houses are at this time being erected in Liverpool, solely at the charge, as in both the former instances, of the borough Corporation.

ASYLUM FOR IDIOTS.—The autumnal election of children to this asylum took place at the London Tavern, on the 31st of October, when fifteen of this unhappy class were elected out of no fewer than one hundred and seventy eligible candidates. Previous to the election, a general meeting of the subscribers was held, at which Alderman Sir George Carroll presided. The worthy alderman, in advocating the claims of the charity, observed that two great fundamental objections had met them at the very threshold of their undertaking—one was, that they could do nothing for the idiot; and the other was, that there were comparatively no idiots. The first objection had been fully answered by the patient efforts of the last two years; for, though they were unable to point to any positive instances of a perfect cure, there were at this moment many cases exhibiting a considerable state of improvement. A poor laundress, whose child had been at the asylum, was so struck with the great improvement that had taken place in him, that with tears in her eyes she had recently called upon the secretary, and had insisted upon his accepting half a guinea as a mark of her gratitude. As regarded the second objection, it was not at that time, perhaps, known that a multitude of these cases were hidden, from shame or sorrow, not only from the eye of the world, but from the observation of social intercourse; for it was now ascertained, from correct statistics, that the number of idiots exceeded that of lunatics. The report stated that the board had taken two houses of great capacity—one at Highgate, and the other at Colchester. Those establishments at present contained 129 inmates, which, with the 15 elected yesterday, made a total of 144. There was ample accommodation for additional inmates; but, though the receipts for the past year had amounted to between 4000*l.* and 5000*l.*, additional support was necessary to enable the board to extend, to any sensible degree, the benefits of the institution.

No. 15.—*Punishment of Convicts, and the Cost of their Maintenance.*

The total number of convicts sentenced to death in England and Wales in 1847, was 51; in 1848, 60; in 1849, 66. Sentenced to transportation, in 1847, 2,806; in 1848, 3,251; and in 1849, 2,844. The number of persons sentenced to imprisonment for misdemeanors was, in 1847, 1,921; in 1848; 2,309; and in 1849, 1,871. The total number of persons sentenced to death in Scotland in the three years was 11; and sentenced to transportation, 6,386. The total number of persons sentenced to death in Ireland in 1847, was 25; in 1848, 60; and in 1849, 39: to transportation, in 1847, 2,185; imprisonment, 11,221. In 1848, transportation, 2,698; imprisonment, 12,968. In 1849, transportation, 3,050; imprisonment, 15,443. The expense of maintaining and transporting all the convicts in the United Kingdom for the three years was little short of £500,000—say two millions and a half of dollars!

No. 16.—SCOTLAND. *Juvenile Delinquents.*

A most decided testimony in favor of "Ragged Schools" as a means of diminishing crime, is given by the Superintendent of County Police for Dumfries-shire, in his report for 1849. Referring to the number of youths convicted during that year, he says:—"It may be necessary to explain, that those convicted under fifteen years of age do not all belong to Dumfries and the neighborhood, but other parts of the county. Five of those belonging to Dumfries had received instruction at the Ragged School, but were old and somewhat hardened offenders previous to their admission to that institution; and there can be little doubt, had they been taken charge of by proper persons during evening and night, as in the day-time, those offences with which they were charged would not have been committed. It is gratifying to state that the chaplain and governor of the jail bear testimony to the great improvement in the manners and habits of those above-mentioned on their return to prison. *The superintendent may state, that since the opening of the Ragged School, none of the children belonging to that institution have been taken into custody for any offence except those before-mentioned, and juvenile vagrancy in the town and suburbs of Dumfries is greatly diminished.* The public in general would do well to visit the establishment. In some parts of the county, schools of a like nature have been established, and attended to by ladies and gentlemen, who speak of the great improvement observable in the immediate neighborhood."

No. 17.—IRELAND. *Pauperism and Crime.*

PAUPERISM.—Our English journals contain notices of a report recently made by the Hon. and Rev. S. G. Osborne, concerning the state of the poor in the most distressed districts of Ireland. The facts he states are said to be the result of his personal investigations, and, if they are to be relied on, they certainly reveal a state of destitution and suffering which we should hardly conceive to be possible in a Christian land. We have room but for a few passages. Mr. O. visited not less than seven unions, or pauper establishments. Concerning one in Limerick, he says:

I went from the board-room, in company with the medical officer, to visit an auxiliary house in Clare street, Limerick; there were about 800 able-bodied women in it—a few days before there had been 822—for whom the Guardians had provided 267 beds! Let me here observe, that a considerable space in the dormitories was occupied as an infirmary; very many of the cases were of a description which, in any decent public asylum, would be rigorously separated from communication with the other inmates. These beds had only, so far as I myself observed, one person in each; so that the division of the rest of the beds amongst the inmates must have been very minute indeed. The sick ward, including all cases, had, however, according to the Board's own admission, 115 patients in 88 beds; so that there were left 179 beds to 707 people, all adults! It was acknowledged that many of the inmates had slept for weeks without beds or covering.

In commenting on this description, one paper says: "Sad must be the condition of those that live out of the Union, if it is such that they prefer being in such a Union!"

In the account of his visit to another district, he confirms previously

existing reports of the dementing influence of the famine, and the apathy, approaching to something like complete intellectual vacuity, which is beginning to characterize them. The following paragraph is dreadful:

There is one comfort to be found in these sad cases—there does not appear to be great present pain. I have now walked, in the course of my two tours, I should suppose, some miles of infirmary wards in the Union-houses in Ireland—wards often very thickly crowded, almost always sufficiently full. It has never been my lot to hear one single child, suffering from famine or dysentery, utter a moan of pain; I have seen many in the very act of death—still not a tear, not a cry. I have scarcely ever seen one endeavor to change his or her position. I have never heard one ask for food, for water—for anything; two, three, or four in a bed, there they lie and die—if suffering, still ever silent, unmoved.

The journalist adds:

Nature would here seem to be divested of her inherent attributes, and men to be assimilated to brutes. These workhouses resemble a stable, a pen, the dwelling-place of animals, much more than of rational beings! It is difficult to account for this on any known principles of human nature. It can be viewed only as the direct hand of God wasting the people!"

We scarcely understand the meaning of the last portion of this paragraph. We think, the premises being admitted, the dreadful conclusion follows without any extraordinary interposition of the divine power. The history of the individual cases would probably show a very swift and natural progress of physical deterioration, and a corresponding enervation of the intellectual and moral powers.

CRIME.—The returns for 1849 show an increase of committals of 3,467 on the preceding year. The gross annual number of committals for a period of seven years, ending in 1849, has ranged from 16,696 (1845) to 41,989 (1849). Murder has ever been the chief crime that has attracted the notice of Great Britain. It is, therefore, important to know how this matter stands, and it is most gratifying to state that there is a large decrease. The committals for murder, for the last eight years, have ranged from 92 (1845) to 195 (1848); in 1849 they were 170, of which 138 were acquitted on trial. In the committals for shooting and stabbing, there has been a decrease of from 110 to 66, or forty per cent., while those for manslaughter have increased from 166 to 173.

Assaults have likewise decreased more than ten per cent., although, in malicious offences, there is a large increase under the head of fire-raising; while, in killing or maiming cattle, there is a decrease of more than sixty per cent. The Education Statistics of crime are interesting: Of the 41,989 offenders committed in 1849, 31,340 were men, and 10,649 women. Of the former, 6,484 could both read and write, 3,023 could only read, 12,157 were unable to read or write, and of 9,676 the instruction could not be ascertained. Of the women, 935 could read and write, 1,500 could only read, and 5,877 could do neither; the number whose instruction was not ascertained being 2,357. When classed with respect to age, we find the greatest proportion of offenders occurring from the age of 21 to 30; the numbers being 7,151 men, and 3,110 women. The next most numerous class is from 16 to 21; the relative numbers being 5,731 men, and 2,238 women. On all these grounds, therefore, we incline to entertain the hope, that matters begin to look up.

A P R I L , 1851.

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VOL. VI.—NO. II.



ART. I.—CONVICT-MULTITUDES.

IN compliance with the intimation in our last number, we return to the interesting and instructive report of the Select Committee of the British House of Commons; and we do it chiefly for the purpose of presenting to our readers a sketch of what may be called the *multitudinous* system of prison discipline, in distinction from the *separate* and *congregate*.

We have already stated, that the voice of the committee is emphatically in favor of INDIVIDUAL SEPARATION. If any one thing is more prominently exhibited in the report than another, it is the indispensableness of separation as the basis of any effective penal suffering. As to the application of the principle, various questions were mooted in the committee, (with which most students of prison discipline are familiar,) such as what modifications would be requisite or admissible to suit various ages and constitutions? How far and in what form employment and exercise can be introduced, consistently with separation and with the least detriment to health of body or mind? What degrees of severity or relaxation such a discipline may require where it is merely introductory or preparatory to transportation? &c. &c.

The most formidable rival scheme which the committee were called upon to consider, was that of *compulsory labor in masses*, advocated by Mr. PEARSON, a member of the committee, and really the original mover of the resolution out of which the whole proceeding grew. It is clear, from the document itself, that but for his wish to secure an investigation of, and a favorable report upon his theory, the committee would never have been appointed.

The examination of Mr. Pearson occupied three days. Besides his answers to specific interrogatories, which cover seventy-two pages of the minutes of evidence, we have, in connection with the report itself, an exhibition in detail of his plan. He certainly cannot complain that he has not been fully heard. We propose to examine very briefly some of his positions.

His first attempt is to show, that pre-existing plans of reforming bad men, or checking the increase of crime, have proved insufficient. To this end he tells us, that in 1777, England and Wales had a population of seven millions and a half, and had 1,846 persons confined in gaol in fifty-two counties, including the cities and boroughs within their limits, viz. 1,174 convicts and 672 debtors. In 1848, the population being 17,500,000, there were found, in the same fifty-two counties, 14,202 prisoners in gaol, viz. 13,422 convicts and 780 debtors, showing, as he contends, that in the seventy years the general population increased one hundred and thirty per cent. and the prison population more than one thousand per cent. From this he infers, (most unwarrantably we think,) that "inhuman, brutalizing and depraving as was the system at that time practised, its influence, as an instrument of vindictive and deterring punishment, contributed, both by suffering and example, to keep down the amount of prison population," &c. Page xxi.

In a review of the legislation on this subject, during the reign of George III. Mr. P. thinks he sees several of the leading features of his present plan. Among other provisions, one contemplated the erection of cheap and simple prison-structures to be located on common, heath, or waste land; but it does not appear that any end was to be answered by the selection of such sites farther than a rigid economy in respect to their cost. Another provision required that convicts should be classified according to the character of their crimes and their conduct in gaol: "During their hours of rest, and when the nature of their employment would permit, all prisoners were to be kept entirely separate and apart from each other, and to be lodged in separate rooms and cells; but when, from the nature of their employment, or otherwise, two or more prisoners were to be suffered to continue together 'during the hours of labor and

Divine service, and the times respectively allotted for their meals and airings,' a task-master or warder was to be constantly present to enforce order, good conduct, and continuous industrious occupation." Here was certainly a clear recognition of the principle of individual separation, to be relaxed only in cases of necessity.

It was provided, that "religious instruction should be combined with ten hours of daily labor, the hardest and most servile kind, in which drudgery was chiefly required." There would seem to be little reference here to the means of gaining a livelihood by the prisoner after his discharge. Premiums were also authorized for profitable work, and gifts of clothes and money made to the deserving at the expiration of their sentence; and there was also the extraordinary provision, that the salaries of the governors and task-masters should be, in a great measure, if not wholly, paid from the profits of prison labor. The words of the act, as quoted by Mr. P. are, that the salaries shall be so ordered and appointed, "that the same may bear a constant proportion to the quantity of labor performed in each such several house, so that it may become the interest, as well as duty, of each governor and task-master to see that all persons under his and their custody and direction be regularly and profitably employed." It would be difficult to conceive of a wider door being opened for the admission of the very worst abuses of power, or of stronger temptation to practise them.

The conclusion to which Mr. P.'s review of the penal legislation of England since the days of Howard conducts him is, that while for several years the order and discipline of the prisons have advanced, "the comforts of their inmates have been increased, until it is an admitted fact, that the convicted criminals who annually pass through our gaols are better fed, better clothed, better taught, and receive better medical attendance, and have more repose and ease, in apartments better warmed and ventilated, than it is within the power of the great mass of the laboring poor to obtain."

To this relaxation of the severity of discipline, and the indulgence shown to convicts, he thinks is to be attributed, in a large measure the fact, that while the population of the country in the space of forty years has increased only sixty-five per cent., the number of commitments and recommitments to pri-

son in England and Wales on criminal charges, has increased four hundred per cent. "English gaols," he says, "no longer create either terror or shame, but are often regarded as a place of shelter for the unfortunate and for the idle criminal a congenial home."*

This being, in his apprehension, the evil, Mr. P. proposes as a remedy, coarse (instead of generous) diet, hard (instead of light) labor, and continuous (instead of inconstant) labor.

This reformed system is proposed in view of several positions which Mr. P. thinks are well sustained. 1. That the great mass of criminal acts are not indicative of a deep-rooted depravity of heart. Of the 104,000 who were inmates of the gaols of England and Wales in 1848, 86,000 were mendicants, vagrants, trespassers, petty pilferers, poachers, &c., whose sentences were all for less than three months. 2. That ready-made criminals, and the raw material of which they are manufactured, are alike the natural products of idleness, intemperance, thoughtlessness, and infirmity of purpose. 3. That more severity in short terms of imprisonment, such as requiring a full task and withholding food till it is accomplished, has been found effectual in checking the increase of minor offences; and that where long sentences are given, hard field-labor should be the chief occupation, with a diet stinted or generous, according to the amount of work done; and to be encouraged to overwork, to be applied to reduce the length of the sentence—say ten hours' overwork to count for one day's reduction of time of sentence.

As an evidence of the necessity of some such change, Mr. P. states, that "81 per cent. of the male criminals, annually committed, are between the ages of 16 and 45 (the age when, in a free condition, men not only maintain themselves, but supply a large portion of the surplus labor and industry by which the females, the children, and other non-producing classes of the community are supported,) and 47 per cent. are between the ages of 20 and 35." He also shows, that "the expenditure of the prisons in England and Wales, during the year 1847, (paid out

* In his examination as a witness before the committee, Mr. P. was pushed very hard by *Sir George Grey*, as to the actual cause of this apparent increase of crime, and it was conceded at last, that much of it resulted from the multiplying of statutory offences, i. e. making a multitude of acts criminal which were before innocent.

of funds raised by taxation,) amounted to upwards of 480,000*l.*, (\$200,000,) being at the rate of 29*l.* 14*s.* 1*½d.* (\$132) per annum for each man, woman and child in prison, besides the interest of money expended in building the gaol; whereas the whole produce of the prisoners' labor for the year amounted to only 20,227*l.*, (\$88,000,) giving an average of each person's earnings of 1*l.* 7*s.* 6*½d.* (\$5 90) for his labor for the year." For the purpose of reducing this enormous burden of taxation, and making this large stock of muscular and intellectual power available, he would make it a fundamental condition of any scheme of discipline that the "labor should be continuous and severe, having reference to the age, sex, and strength of each individual; and that more bodily work should be exacted and less bodily comforts be given, than the same quantity of work could procure for an able bodied industrious man in a state of freedom."

To carry out his scheme, he proposes the erection of several district prisons, enclosing land enough (say 1000 acres for 1000 prisoners) to employ them and yield them maintenance. In these prisons he would have all convicts confined whose sentences range between three months and twenty-four years. He calculates that in every 1000 convicts 500 or 600 will be unskilled laborers, and yet he produces a practical agriculturist who thinks such a farm might be worked with 1000 such laborers to good profit, without interfering with the discipline or authority of the prison. Indeed, a person of competent ability expressed "his readiness to contract for a period of years, to pay 10*d.* per day for the daily labor of 500 of the prisoners, and after two years, to pay an additional 1,500*l.* per annum for the rent of the land and the manure of the establishment, with a covenant to supply the officers and prisoners in the establishment at ordinary contract prices, with all the food they may require." And to complete the arrangements, "experienced architects estimate the cost of a penitentiary for 1000 persons, erected in conformity with Mr. P.'s plans, and so constructed as effectually to provide for their health and security, together with a chapel, workshops, and all needful outbuildings, and also to be surrounded with a wall of adequate height and strength, at an entire cost of less than 80,000*l.*" (say \$350,000.)

The advantages of agriculture, as an employment for convicts, are then set forth in detail, and also the objections to the cellular discipline, which he affirms is unjust, both to the public and to the prisoner: "Unjust to the public, because the industrious rate-payer has to defray the charges of keeping criminals in expensive indolence; and unjust to the prisoner, because at the end of his sentence he is thrown back upon society with the rust of idleness upon him, and with diminished physical ability to encounter the variableness of climate, the severity of labor, and the pinchings of want, to which as a laborer in the market of competition he must, in the order of Providence, be ever liable."

It is scarcely necessary to remark, that Mr. Pearson is evidently a close student of the defects and mal-administration of one or two separate prisons in England, and most unwarrantably concludes that they are the natural fruits of the principle; and further, his mind is so absorbed in securing the adoption of his own favorite scheme, that he is quite indisposed to look with favor on any thing else.

We observe that among the strongest objections urged by Mr. Pearson to the separate or cellular system, is its unequal pressure upon convicts, and especially, that it bears with greatest severity upon those who are confined on short sentences for inferior crimes; and he asserts, on what he regards as competent authority, that it is during the first few weeks of cellular confinement that the severest pressure is felt, and the greatest hazard incurred.

This is not in accordance with the general testimony on the subject, even from the most lukewarm advocates of separation. They have, over and over again, expressed their confidence in the entire safety of separation for a period ranging from twelve to eighteen months; and so far as we have the means of ascertaining from the reports of various separate prisons now before us, the cases are comparatively rare in which insanity develops itself within that period. Mr. Pearson evidently means his argument shall go to the utter extinction of separation—longer or shorter, absolute or modified—as an element of penal discipline.

It is not a new thing under the sun for a reformer not only to magnify or multiply the evils he would remedy, but to as-

cribe them to inadequate or imaginary causes. In the present case, the most important points which Mr. Pearson would cover by his new scheme, are in no respect involved in the question of separation or association. What prisons have we in the United States that are more "sad and repulsive" than those on the separate plan? In what prisons are "habits of indolence, imprudence, and self-indulgence" more effectually counteracted, or the "antagonistic habits of industry, fore-thought, self-dependence and self-control," more likely to be created or confirmed, than in our separate prisons? And as to the self-supporting feature of Mr. P.'s plan, it has always been prominent in both separate and congregate prisons, so that if Mr. P.'s plan were carried out, he would gain nothing in respect to the income from prison-labor beyond what has already been gained in many existing prisons in the United States. Indeed, the document on which Mr. P. relied much to show the necessity of a radical reform in the plan of discipline, because of the disproportion of the profits of prison-labor to prison-expenses, is of great force in favor of the existing plan, for it shows, that in 1847, 132,000 prisoners produced 20,000*l.*, while in 1837, 109,000 produced less than one-third of that amount! Surely this is a manifest proof of the inherent virtue and capability of the discipline, so far as this point is concerned.

It is not enough, however, for Mr. Pearson's purpose, that the prisoners should support themselves. It is desirable that their industry and skill should be so employed as to give the government a revenue for the payment of salaries, &c.; and Mr. P. argues, that the kinds of labor which are practicable in cells are too few and too unprofitable to answer the purpose; that the number of criminals unskilled in trades or occupations that may be pursued within doors is always very large, and that the muscles and sinews of these unskilled laborers must be put to task in some other employment where skill and previous training are not requisite, and all these advantages he finds exclusively in agricultural labor.

To achieve his end he would purchase one thousand acres of land, now of mere nominal value, enclose it by a wall of brick or stone eighteen feet high, (making about nine thousand linear yards,) and erect within the same, buildings sufficient for

one hundred officers and servants, and for chapel, instruction and eating-room for one thousand prisoners, with one thousand separate dormitories; and to such a prison he would have every convict committed whose sentence of imprisonment exceeds one month, supposed to be ten thousand annually. He would, however, have the terms of imprisonment lengthened, so that the lowest term should be three months; and he would also provide a somewhat different farm-prison for juveniles. The total expense of such a prison as Mr. P. contemplates, he has set down in round numbers at 150,000*l.*, (say \$700,000.)

The prison being established, its internal economy would require four separate wards or departments; to the general prison would be assigned a governor, (500*l.*.) two chaplains, (175*l.* a year each,) and a surgeon, (200*l.*.) and to each department a superintendent, (150*l.*.) assistant-surgeon, (100*l.*) a school-master or catechist, (100*l.*.) assistant school-master, (50*l.*.) a superior warden, (50*l.*.) and twenty ward officers, (1,210*l.*.) and lodging, board and clothing for all, out of the produce of the establishment.

The prison being thus peopled and officered, the government will let the farm and the skill and muscular power of the convicts and the manure to any contractor who will agree to furnish therefrom an adequate supply of meats and vegetables for the support of the population, and defray the expenses of the prison, at market rates; and whatever he can make over and above this is his profit. Mr. P. supposes that such a farm would afford continuous labour through the year to five hundred able-bodied men, at the rate of ten hours a day. To the question, what responsibility was assumed by the government as to compelling the prisoners to labor? Mr. P. replies, that he would use no compulsory force beyond that which the law of nature supplies. He would make the zero diet of the prison a pound and a quarter of coarse bread and a supply of water; an improvement in this diet must be purchased by the labor of the prisoner's hands, at the rate of one-half penny worth of food for every hour's honest work.

The convicts who are not employed in farm labor, would also be let under the contract, to do the work which their previous training best fits them to do. Mr. P. thinks that out of every

thousand convicts he could find fifty shoemakers; and he says, that on a given day, in 1841, when the census was taken, there were five hundred and twenty-eight shoemakers in prison in England. The various employments to which the labor of the weak, (in mind or body,) and the ignorant and the unteachable would be put, are described with much skill and minuteness, but a more particular detail would occupy greater space than we can afford.

It being admitted that the non-intercourse of the prisoners is an indispensable feature of any plan of discipline, Mr. P. would provide for this, 1st, by so disposing of the men when at labor, that they should never be within communicating distance, putting them say sixteen yards apart; 2d, by vigilant inspection; and, 3d, by fine, to be paid in labor, by reduction of diet, or prolonging the term of imprisonment for such offences, at the pleasure of the governor of the prison. And whether Mr. P.'s plan is adopted or not, he thinks the interest of the community would be greatly promoted if the sentence of the law was measured by hours of labor, instead of months or years of confinement. "For instance," he says, "where now the judge pronounces a sentence of a year's imprisonment, I contemplate that he should say that the prisoner should be imprisoned until he had done 3,000 hours' of work; that is to say, an equivalent to 300 days in the year, ten hours each day. I am quite sure that it would have a most telling effect upon society if that were the law, instead of the definite quantity of a year's imprisonment; it would strike terror into the minds of the criminal class if they knew that they were committed to the prison until they should have executed 3,000 hours of work, and that they should have no diet beyond the plainest diet of water and bread, excepting that for every hour's honest work they should have an increase of, or an equivalent to, one half-penny worth of diet."

In reply to the question, how a man could perform more than the ten hours' labor? Mr. P. replies, "I do not give him ten hours. I give him 3,000 hours; but supposing that a man, instead of working ten hours a day, shall work twelve hours a day, he then obtains one-fifth towards his earlier liberation; and supposing he shall put a rein upon his appetite, and instead of eating twelve halfpenny worths a day he shall choose

to eat nine halfpenny worths a day, he acquires then an additional fund out of which he earns his earlier liberation.* The effect of that would be, that you teach the man two great and important truths practically; the one is to increase his industry and the other is to control his appetite; the want of industry, and the want of self-control, are the causes in the great mass of cases that lead to crime, and this would be applying a remedy adapted to the particular circumstances that led to their fall." This is certainly sound philosophy.

In this, as in several other parts of Mr. P.'s statement, we see a prospective reference to the entire abandonment of transportation as a penal agency, and a reliance on home-penitentiaries for convicts of every class.

It may not be uninteresting to our readers to see how Mr. P. would arrange the time and occupation of his prison community, and what he regards as the primitive elements of it. The first is shown most conveniently in a tabular form, thus:

Table showing the Division of Time for the Occupation of Criminals in a Reformatory and Self-supporting Prison.

		Divine Services.	Morning and Evening Prayer and Singing.	Solitary Reflection and Study.	Moral and Religious Teaching by Chaplain, School master and Catechist.	Class Teaching in School.	Labor.	Meals, Washing and Waste Time.	Sleep.	Total.
<i>Hours.</i>										
The Lord's Day,	24	3	1	6	- -	2	- -	3	9	24
Six working days,	144	3	3	6	6	6	60	18	42	144
Total Hours,	168	6	4	12	6	8	60	21	51	168

36 hours per week for religious, moral, and secular teaching, and for public and private devotion.

Mr. Pearson regards punishment as the primary design of a penitentiary, and he thinks it consists, or should be made to consist, in "loss of liberty; exclusion from all customary indulgences enjoyed in free life, all stimulants, all narcotics; from the use of tobacco, snuff, tea, coffee; an entire and absolute dislocation from the habits of mankind, and separating the prisoners from those indulgences, the parting with which sometimes is almost like parting with a limb; enforced silence; perfect and absolute silence; a prohibition of all intercommunication, and a restriction to seven hours' sleep. There is nothing," he thinks, "that a criminal so much covets as that dreamy, drowsy, lazy, idle, yawning, imaginative state between sleeping and waking, when he is living, as it were, in an imaginative world. There is nothing which is calculated so to rivet upon a man his evil passions and feelings, as the habit which is fostered in our gaols of permitting, if not compelling, a man to be in a warm bed for ten hours, such as we have heard of, between the sheets in a warm hammock in a warm room at Reading. To tame the fiercest of animals we resort to the privation of sleep, and there is no criminal who would not feel the strongest repugnance to that monotony of life which stunted him to a small measure of sleep, and required him to observe strictly the hours prescribed. I propose, and I hope you will not smile when I say, that instead of a soft hammock he shall lie on a hard bed. The life of a prisoner should be punishment. I propose that he shall be fed with the zero diet of the gaol—water and coarse bread. I propose that he shall wear a coarse parti-colored prison dress. I have no sympathy for the humanity that spares the nice feelings of a criminal by rejecting a prison dress: it is necessary for security; it is necessary for distinction; and, in my judgment, it is one of the exigencies of a sound system of prison discipline, that convicted prisoners should be all clothed in a prison dress."

As the idea of substituting a certain number of hours for a certain number of months or years, in convict-sentences, may be new, and perhaps attractive to some of our readers, it may be proper to say, that one of the committee suggested, whether such a sentence would not necessarily be indefinite, and whether it would not, in effect, confer upon the "governor and the phy-

sician, or the authorities of the prison, the power and privilege of saying by what time the prisoner's imprisonment should be shortened, or to what length it should be prolonged? Mr. P. replies, "Assuming that the judge of the court is to assign a certain number of hours of labor to a prisoner who is found guilty of any given offence, there must, to carry that sentence into effect, be a very accurately defined rule laid down as to the amount of labor which the prisoner is to perform to comply with the terms of the sentence, and a great number of elements would have to be taken into consideration to secure that sentence being properly carried into effect. As it seems to me, it would be almost impossible to lay down such a rule that the judge of assize or quarter sessions could satisfy his own mind as to the actual amount of punishment which he was inflicting upon the man; he might, for instance, say he is to be confined until he performs 3,000 hours of labor, but the manner in which he is to perform that labor must depend upon such a variety of circumstances, the feelings of the officers of the prison, and such an infinity of circumstances, that I can hardly conceive it possible to my own mind that any defined system can be laid down. Therefore I come to my original observation, that it would leave the punishment, in point of fact, more in the hands of the officers of the prison than, at all events, is the case at present, because they could impose a higher or a less amount of labor, according to their will and pleasure, which would, in point of fact, put the sentence into the hands of the officers of the prison." The witness proposed to answer the suggestion in a subsequent part of his testimony, but no answer appears in the report.

On the subject of preventing intercourse in farm labor, providing for the fluctuations of out-door employment at different seasons of the year, and for security against combinations and revolts, Mr. P.'s views were fully drawn out. On the last topic he was asked, "Has it ever occurred to you that there would be any difficulty in restraining those people from violent conduct? If you have four hundred men, who we may assume are burglars and people of violent character, placed in an enclosure of this kind, would it not be a matter of some danger to entrust those people with those kinds of implements which they must neces-

sarily have in their hands to cultivate the ground?" To which Mr. P. replies: "I do not think there would be any difficulty or danger. But that opinion is worth nothing unless I give you the facts from which it is deduced; the facts from which it is deduced are these: in the first place they will be comparatively light offenders, that is, they will not be prisoners whose crimes sentence them to transportation. They will be convicted prisoners for from six months to one year, two years, or three years, as the case may be. They will besides have a legitimate mode of working out their time by their own industry and exertion. And I have before me this fact, that at Portland, where they are murderers, where they are incendiaries, where they are highwaymen, they are working without a wall round them at all, and with implements, such as pickaxes and crow-bars, and other instruments equally available for the purpose of resistance, and I have seen six or seven hundred of them turned out to work together there."

But our limits forbid any farther notice of this important document. Indeed, we have dwelt longer upon it than we designed, because in some preceding numbers of our Journal we have adverted to Mr. P.'s views with some intimations of distrust. We trust we do him full justice, however, when we place upon our pages the very comprehensive summary of his scheme, including its principles and its contemplated results, which he has himself given at the close of his testimony:—"I should say that the principal point of remark in the system which I advocate is, that it seeks to make a man have dominion over his own actions through the instrumentality of the same motives that govern all people in free life. All mankind are influenced largely by two motives; the one is a desire to provide for their present wants, and the other is to secure future independence. We are all of us more or less influenced by those, and although higher and nobler motives also enter into our contemplation, at the same time there is no man living who can look into his own heart and deny that he is largely influenced by those two considerations. I desire to avail myself of those two motives, and to implant them in the mind of the prisoner, because when he escapes from his confinement he will still carry the force of those motives along with him, whereas every other system that

I am acquainted with is a system of prison pressure upon him at the moment which, when it is taken off, abandons him with less power of self-control than perhaps if he had never been in prison at all."

ART. II.—THE EARL OF CHICHESTER'S OPINION OF THE EFFECTS OF CONVICT SEPARATION.

The Earl of Chichester was one of the witnesses before the last year's Parliamentary committee on prison discipline. His replies to the various interrogatories which were addressed to him during the examination, embody some opinions with which we think the readers of our Journal should be acquainted. They are evidently based on a close personal observation of *facts*; and these facts he uses as a guide to, or as interpreters of their principles. It is not rare to find this course reversed, especially in controversies on this subject—the principle being first proposed, and the facts selected, modified, and arranged, so as to consist with it. A little attention to the questions will readily show, that the earl's examiners were not partial to the side of the case which his testimony was seen to favor:—

May I ask your lordship's opinion of the full working of the separate system as you have seen it carried out at Pentonville?—I have not the shadow of a doubt of its success at Pentonville.

Of its success in what respects?—In the first place, as a severe, and, therefore, a deterring punishment to a very large majority of the prisoners; and, secondly, as the most efficient means that I have ever been acquainted with of producing good moral and religious impressions, and leading the men to become upon their liberation, in the large majority of instances, where moderately fair opportunities were given them, good and useful members of society.

From your lordship's observation at Pentonville, have you any apprehensions with regard to the possible effects of a long-continued separation, either upon the bodily health or the mental state of prisoners?—Not as peculiar to the separate system. I am quite aware that all long imprisonments must be prejudicial to some constitutions, and perhaps more so to the kind of character, and therefore the kind of constitutions, which belong to the criminal population. With reference to its effects mentally, my belief is, that it has not more of that tendency than any system of prison discipline which constitutes a sufficiently severe punishment to be a means of detering from crime.

Has your lordship seen the last report on Pentonville prison, which has been placed in our hands as members of the House of Commons within the

last fortnight?—It was submitted to me. I did not sign it, because although I am still a commissioner of Pentonville prison, I have virtually resigned nearly twelve months since; but I have read the report very attentively.

In reading that report your lordship must have seen that the amount of insanity in the last year at Pentonville was greater than in any preceding year, and also that there had been an unusual number of attempts at suicide. Do you think that those facts with reference to the amount of insanity and the number of attempts at suicide are altogether unconnected with the separate system?—I think they are unconnected with the element of separation in the system; and I may give as a reason for that opinion, that during the last year the separation has been less strict, and the period of confinement has been shorter than it was before.

Why has the separation been less strict during the last year than it was before?—It was a regulation which was adopted by the commissioners, at the suggestion of the Secretary of State, with several different views; one of them, and probably the main one, was that it was thought very desirable (in that I entirely concur) that all convicts sentenced to transportation should undergo the first period of their punishment in separate confinement; but the number of cells available for this purpose being limited, and inadequate to accommodate all the prisoners, it was considered very desirable to increase the accommodation by limiting the period for which each prisoner was confined; and, consequently, twelve months, rather than eighteen, was taken as the maximum for which prisoners were to be in separate confinement previously to transportation, or removal to the public works.

Do I understand it to be your lordship's opinion, that the change to which you have adverted was not in any degree founded upon the opinion that the system, as previously carried out, had been found prejudicial to the health or minds of the prisoners?—Certainly not, in my own opinion; that is to say, I did not agree to the alteration upon that ground; because my own belief, which is founded upon the statistics of Pentonville prison, is, that the mental affections, and even the scrofulous affections, were more common in the first period of confinement under the old regulations than in the last six months of that period. I think it will be found, upon reference to the report of the Pentonville commissioners, and certainly in the statistics which might be presented before this committee, that the cases of mental affections are more frequent during the first two periods of six months than during the third period of six months, when the prisoners were confined for eighteen months.

Do I rightly understand from your lordship's answer, that though it was not your own individual opinion, still those changes were made in consequence of its being thought by others that the closeness and long-continuance of the separation had affected the health and minds of the prisoners?—I know that there was a general opinion of that kind out of doors, and I know that it was felt by some individuals in the commission, but how far it was the opinion of the Secretary of State, of course I am not prepared to say. I have, however, no reason whatever for thinking that it was the opinion of the majority of the commissioners; on the contrary, their reports distinctly aver this, that eighteen months of separation was not too long a period.

I understand it to be your lordship's opinion, that the unusual number of cases of insanity and attempted suicide under delusion, which have occurred at Pentonville during the last year, in all probability would equally have occurred had the system been a different one?—I ought to state, perhaps, that I have had no opportunity of testing, by personal observation, the working of the present system at Pentonville. I have scarcely attended at all during the last eight, or, I may say, twelve months. I only judge from the returns, which I have examined very carefully, and from my knowledge of the changes which have taken place in the discipline, to which I was more

or less a party, and I know from those facts that the term of imprisonment has been shortened, and that there has been a greater amount of association, and yet that there has been a greater proportion of cases of mental affection. I was not aware, but I understand from your question, that there has been a greater number of cases of suicides, or attempts at it. With regard to cases of suicide, my belief is, from considerable experience in different prisons, that any system that is at all vexatious and trying to the prisoners' tempers, much more frequently leads to either feigned or real acts of suicide than any system of separation, acting merely in the way of depressing the mind; and I think that that might be proved by returns from some of the inspectors of prisons and others, but it is clearly the result of my own experience.

It has been stated to this committee, by the Governor of Millbank prison, that he had observed that the prisoners sent there from the separate gaols of England, were almost uniformly in a depressed state of body, and a worse state of health than those who came from prisons under the associated system; would that statement be consistent with your lordship's observation?—I should say generally not; but, at the same time, I am quite prepared to admit that the separate system has incidentally a very depressing effect upon the spirits, and more or less an exhausting effect upon the physical strength. I believe the great means of counteracting those effects are, in the first place, constant and judicious religious instruction, and employing the minds of the prisoners during a part of the day in useful, and to a certain degree entertaining reading, and that the physical effects must be met by a very regular amount of out-door exercise, and by a higher dietary than would be required under a system less depressing. But I ought to add to that, that from my own intercourse with the prisoners at Pentonville, my conviction is, that the main cause of mental depression is that feeling of remorse in looking back upon their past lives, and the first effect of serious impressions of a religious kind, which have been often perfectly new to them; and this effect is exactly similar, so far as my observation goes, to the state of mind produced by corresponding causes, in men who have led very bad lives, but who, by some calamity or other have been brought to a better state of mind, and to real contrition, in ordinary life; but I do not believe that the solitude of the separate cell is at all more depressing, or at all more calculated to affect the health than a similar state of mind out of doors, provided the man is equally sincere and equally penitent.

Are not the physical depression, and the mental depression, and the workings of remorse, which your lordship has now described, the very causes which are likely, from your knowledge of human nature, in weak subjects, to increase the great risk of injury to the mind when long protracted?—There is a certain risk, which I believe is part of the providential consequences of sin of all kinds; but I believe that a remedy and an alleviation of that kind of physical and mental suffering is also provided, and that it is as applicable, and perhaps even more applicable, to a prisoner in a state of separate confinement, than to a bad man who becomes penitent in his own home, when surrounded by his former companions and his own relations, because I believe that the main consolation he can derive under such circumstances is from religious instruction and from religious exercises, and those he can perform with less interruption, and with at least equal encouragement in prison, as he could in his own home; and practically I have no doubt that such is the result; that the average state of mind of the really penitent prisoner in Pentonville is quite as sound, and I believe his body not less healthy than that of a penitent pauper in the work-house, or of a penitent laborer in his own cottage.

In the further examination of this witness he introduced a brief written statement, setting forth formally several leading

principles, which he thinks should govern the establishment of penal institutions. The following is the substance of the statement: "It should be borne in mind, that the first and chief object of penal institutions is the prevention of crime. This object is to be attained principally by attaching to the punishment so much of severity or suffering as may render the prospect of it a means of neutralizing or diminishing the ordinary temptations to offend. But for the sake of prevention, no less than by the requirements of the law of charity, it is also necessary that the punishment should be made a means of promoting the moral reformation of the offender; and experience has, I think, amply proved, that the systems of punishment most successful in reforming the offender have been equally so in their deterring effects. Loss of liberty, entire separation from criminal society, long periods of solitude, broken chiefly by the inculcation of moral and religious truth, are means that, in a large majority of instances, are found to subdue the stoutest and most reckless spirits, and to induce a state of mind which, however painful to endure, is the best and the natural basis of a real and lasting repentance. I need scarce add, that a prisoner so circumstanced is in a position peculiarly fitted to receive and appreciate the consolatory truths of our holy religion, which afford him the only true safeguard against despondency or despair; but this kind of treatment has been found, moreover, to be much dreaded by the criminal population out of doors. From these considerations I draw the following inductions: 1stly. That the severity of punishment should be, both in kind and in degree, sufficient to produce a strong and lasting impression upon the offender, and a salutary dread of incurring it upon the community at large. 2dly. That the punishment should be of a kind calculated to subdue rather than to irritate the prisoner, and to promote calm reflection upon the past, rather than angry and vindictive feelings in regard to his present lot. 3dly. That in order to satisfy these two conditions, the degree and the duration of separate confinement must be sufficient to render solitude positively irksome. And lastly, that the principal relief to this solitude should consist in such instruction and occupation of the mind as may tend to produce or strengthen true feelings of contri-

tion and good resolutions for the future, directing the mind also to the consolatory doctrines of religion, and such hopes of future happiness in this world as the case may reasonably admit of. In addition to this, the prisoner should be employed at intervals in such manual and mental occupations as may be found to be wholesome exercises for his mind and body. I would, moreover, very strongly insist upon the importance of not sacrificing the penal element of punishment for the sake of giving greater or more speedy effect to the reformatory process, the former being, in my opinion, quite as essential to a real and lasting reformation, as what may be termed a purely reformatory treatment. Experience has, I think, proved that those systems of prison discipline which are based solely or mainly on the theory of reformation, have failed in both the essential requisitions of a penal institution: I mean, they have failed to reform as well as to deter. There is, no doubt, much truth in what has been advanced by some of the humane advocates of these systems, but their principles and their reasoning apply to a state of things most desirable in itself as an intermediate stage between one that is strictly penal and entire liberation, but which neither the present condition of our penal establishments, nor of our criminal code is qualified to admit."

In the further examination of the witness the following questions were put and answers returned:—

If we were now devising an entirely new system of prison discipline, is it your lordship's opinion that it would be desirable to combine the two systems, namely, the separate system for a limited period, and after that association, under certain safeguards, to prevent contamination?—I think that limited association would be very desirable after long periods of separate confinement; the necessity for it, I would say, was almost in proportion to the period for which the prisoner had been separately confined. But, however desirable it might be to introduce a second stage of punishment, for prisoners under sentences less than twelve months, I think more would be lost in the mitigation of the penal and reformatory effect of separate confinement during that period, than would be gained by the second process of partial association.

In a paper that I hold in my hand, which I believe your lordship has put in this morning, I find this paragraph, "I would moreover very strongly insist upon the importance of not sacrificing the penal element of punishment for the sake of giving greater or speedier effect to the reformatory process." With reference to this sentence, in what manner, under the separate system, does your lordship draw a distinction between the penal and the reformatory process?—The element in the system of separate confinement, which I chiefly regard as of a penal character, is the severe or penal effect produced by long solitude; it is the element of solitude in the system

of separate confinement which I believe to be the chief element of a penal character, the one that inflicts the greatest amount of suffering and that is most calculated to subdue the mind of the prisoner.

Would your experience of the effects of prison discipline upon the community in this country incline your lordship to think that the greater attention which has been paid to the reformatory process of late years has been, in any way, conducive to the increase of crime?—My experience would lead me to the contrary opinion; but then I should say, that the instances upon which I would found that opinion are instances in which separate confinement, to a certain degree, has been very strictly enforced; and coupled with such an amount of separation as has effectually prevented contamination, there has been added a much stricter and more efficient system of religious instruction. In the prisons to which I allude, there has been a marked diminution in recommitments.

These extracts are of a very suggestive character, and did our space permit we should be disposed to comment on them. As the conclusions of an observing and discriminating mind, the statements they contain cannot be too carefully pondered.

ART. III.—SEVENTH ANNUAL REPORT OF THE NEW YORK ASSOCIATION FOR IMPROVING THE CONDITION OF THE POOR.—1850, 58 pp.

ONE of the best evidences of the favorable working of this Association, is the fact, that the number requiring aid in 1850, was 2300 less than in 1844.

"This result," as the Report says, "is the more encouraging and remarkable, because the increased thoroughness and expansion of the Association's labors, were least likely to overlook any proper subject of relief; and viewed in connection with the enormous increase of the population by foreign immigration during the same period, the fact is believed to be anomalous in the history of similar charities. It proves moreover, that the Association is not only preventing the spread of pauperism, as it promised to do, but is absolutely diminishing its actual and relative amount."

One of the settled principles of the Association, is to discourage the idea that employment will be furnished in the city. The burden of the sick and helpless poor is quite enough, and a city is the worst place in the world, for an idle, able-bodied pauper. If such insist upon staying in the city, and depending for their livelihood on such casual jobs as they may be inclined to accept, trusting to charity to take care of them and their families when a pinch comes, they should be

put to compulsory labor. If there is any one thing clear in the obligations of society towards its members, it is, that those who can work and won't work, must be made to work or starve. It is perfectly lawful and Christian to withhold bread from him, who can earn it as easily as he can eat it, but who prefers idleness and rags, to industry and comfort. Indeed this seems the only rod that society holds over such persons. They cannot be treated as criminals, merely because they do not work. We must, therefore, invoke the powerful aid of animal appetite. We must let hunger be the constable to drag them up to duty or punishment, and nobody should interfere with his iron hand. Let them earn their bread, and then the eating of it will be a feast.

We have room but for a single paragraph from the report, and think it is to the point.

A wide distinction should evidently be made between them (the able-bodied idle poor,) and the *impotent*. If the hale and vigorous cannot earn their subsistence here, they should earn it elsewhere. There should be no pledges of employment, which are generally deceptive and mischievous; and no proffer of comfortable alms-houses or of liberal out-door relief, to encourage them to remain. On the contrary, their own best interests, and those of the community, require that every proper motive and influence should be presented and every practicable facility afforded to induce them to migrate.—And in order to effect this, we possess decided advantages over the crowded cities of the old world. There, they are obliged to provide local relief, because the rural districts are filled to their utmost capacity, and afford no outlet. It is very different in this country. If our cities are burdened with a population beyond the means of employment and subsistence, the country is ample, and abounds with all the essential elements of plenty and prosperity. Providence has bestowed upon us a vast extent of unoccupied territorial surface, with a fertile soil and genial climate, for the benefit of our fellow-men; and considerations of humanity, self-security and economy, alike urge us, so far as is practicable, to put the suffering and needy in possession of these advantages. And in order to effect this, the city should be stripped of the attractions it presents to this class; for while these exist, many of the able-bodied poor will remain, to become an intolerable tax and scourge to the community. The greatest kindness that can be shown them, is to cause them, if necessary, by rigorous measures, to choose the interior for their home, where, by honest industry, they may recover self-respect and independence, and become blessings instead of burdens to the country. This, it is believed, is the principle with respect to them, which should govern all the organized and unorganized charities of the city.

We have no doubt of the sound philosophy and economy of the course here pointed out. The unemployed, able-bodied poor,—young and old,—constitute the most mischievous and burdensome class of a city population. It is assumed that they

might have work at a fair price, but they prefer idleness. They are, to a large extent, the breeders of quarrels and the stirrers up of all manner of evil. They hang around places of public resort, where temptations and opportunities to steal, abound. They are a burden and curse to their families,—a tax on the community, and a prolific source of evil example and influence. Every dictate of public policy and safety, unites in the decree, —*Let them work, or want!*

ART. IV.—NEW POLICE OF PHILADELPHIA.

By an Act of the Legislature, passed May 3, 1850, the city of Philadelphia and the incorporated districts of the Northern Liberties, Spring Garden, Kensington, Penn, Richmond, Southwark and Moyamensing, are formed into one consolidated district, called the Philadelphia Police District. The qualified voters of the city and districts elect, every third year, a Marshal of Police, who shall be a citizen of the United States, and shall be paid [\$2000 per annum,] for his services, the city and districts contributing to his salary in the ratio of their taxable inhabitants. The city proper, is subdivided into four districts, which, with the seven incorporated districts, constitute the eleven police districts, each of which has a lieutenant of police, elected by the authorities of these districts respectively. The lieutenants are to be paid \$2 a day, out of the treasuries of the districts which elect them.

The police force is raised as follows: (1.) The number for each police district shall not be less than one for every 600 taxable inhabitants, nor more than one for every 150. (2.) The City Councils and the Commissioners of the several districts nominate to the marshal three times the number of policemen required, from whom he shall appoint the requisite number; and in case such nomination is not seasonably made, the marshal has power to appoint. (3.) The policemen thus appointed, hold their office for one year, unless removed by the marshal, under whose control the whole force is placed. (4.) The pay of the policemen, to be not less than \$1 per day, and

it is drawn from the city and districts which they respectively represent. In order to prevent an evasion of the police, by passing from one district to another, the jurisdiction of justices of the peace and committing magistrates, are extended, for police purposes, to the whole police district.

The marshal is entrusted with the sole responsibility of determining when military force is requisite to suppress a riot; and with the sole authority of summoning it, and retaining it as long as he deems it necessary. One of the peculiar features and probably the most valuable practical one of the system, is its vesting in the chief executive officer a concurrent measure of **RESPONSIBILITY AND AUTHORITY**.

The Board of Police consists of the Marshal, who is *ex-officio* president, and the Presidents of the City Councils and the Boards of Commissioners of the several districts; and to this Board, is entrusted the establishment of such rules for the government of the police, as may seem needful. By these rules, each policeman is required, when on duty, to wear the badge of his office, (the arms of the State,) over the left breast, and on the outer garment, where it may be readily seen. The lieutenants of police have the care of the station houses, and are responsible for their good order, as well as for the faithful discharge of duty by those under their command.

The distribution of offices and responsibilities seems to be as judicious as we could expect it to be in the incipiency of the system, and the working of the machinery thus far speaks well for its safety and efficiency.

The leading design in establishing what is popularly called the "Marshal's Police," was the prevention and suppression of riots, which had become alarmingly prevalent, and had brought some of the districts into an unenviable notoriety. They are also invested with all the powers of the city police, for the detection of crimes and the arrest of criminals, and especially with the keeping order at fires, and with custody and protection of property that may be exposed on such occasions.

The whole force consists at present, of the marshal, eleven lieutenants and one hundred and sixty-five policemen. In the selection of persons to fill the ranks, the intention has been

to take "active, enthusiastic young Americans, of energy and unflinching courage, united with coolness, discretion, and knowledge of human nature." A "moral force, united with a resolute determination to execute the law at all hazards, rigidly yet humanely, has accomplished thus far, all the results that the public have witnessed from the working of the system."

The number of arrests made by the marshal's Police in the three months succeeding its organization, is not far from 2600. During the same period, numerous gangs of thieves, burglars, and counterfeiters, have been broken up, and about \$15,000 worth of stolen property recovered, and most of it restored to the owners. It is estimated, moreover, that the vigilance and exertions of the officers, have likewise saved not less than \$100,000 worth of property from destruction by incendiaries.

To the success of the new police in maintaining order and especially in preventing those outrages upon public peace and personal security which had become of almost daily occurrence, all our citizens are witnesses. Instances have often occurred, in which the elements of an old-fashioned riot, have been hastening to a combination,—but the prompt interposition of an energetic arm has kept them asunder, and saved the community from the disturbance and disgrace which would otherwise have ensued.

The deadly assaults upon officers, when in the discharge of their duty, which were but too frequent under the old system, suggested the necessity of furnishing the new police with arms. At the same time, a provision was introduced into the law, to disarm those who were disposed to use their arms for unlawful purposes. It was enacted that "any person arrested on whose person, or in whose possession, shall be found fire-arms, or any other deadly weapon, shall be deemed guilty of an intention to riot, whether said fire-arms or deadly weapons shall be used or not, unless the contrary can be satisfactorily established, and shall be punished accordingly."

The well known fact, that the new police officers were prepared to enforce their authority, has probably had no little effect. There are not a few persons in such a community as ours, who are restrained much more by fear than by any other motive. They care little what others suffer, if they can do as

they list; but they are very slow needlessly to put themselves in harm's way. We are glad to know that this fear has been enough to keep our social enemies at bay, and that it has not been necessary to discharge a single revolver, and scarcely even to resort to the mace.

We congratulate the public, on the very marked success of the new police system, and hope, that while it shows so clear a title to confidence, it will be liberally sustained, and supplied with all the needful facilities and means of improvement.

We are aware that many untoward influences may arise, to embarrass the best system of police that can be devised. Where so many local feelings and prejudices are to be consulted, and so many jarring interests combined as in the present case, the measure of success already attained, is certainly very gratifying. We hope all parties concerned, will see the paramount importance of the general good, and will be disposed to sacrifice minor considerations, for the sake of maintaining public peace and good order, without which, neither private nor social interests can prosper.

If it were not seemingly too trifling a matter to be introduced in such a connection, we should suggest to the marshal, to enjoin it upon his men to refrain from smoking in the street, as well as from the use of profane language, as both habits are indicative of a contempt for the opinions of some of our best citizens, (to say nothing of right and wrong,) which ill comports with their official position.

ART. V.—ANNUAL REPORT OF THE MANAGERS OF THE WESTERN HOUSE OF REFUGE, OF THE STATE OF NEW YORK,
MADE TO THE LEGISLATURE, January 17, 1851.

THIS institution is located at Rochester, about one and a quarter miles from the heart of the city. Attached to it is a farm of forty-two and a half acres of excellent land, four and a half acres of which contain the buildings, and are enclosed by a stone wall twenty feet high. Twenty-eight acres are also enclosed with a stockade fence, ten feet high, and the remaining ten acres are used for pasturage.

The centre building of the house proper fronts the east, and is eighty-six feet wide, sixty feet deep, and is in height three stories above the basement. The two wings, extending to the north and south, are each one hundred and forty-eight feet long, thirty-two feet deep, and two stories in height above the basement. The whole front of the building, it will thus be seen, is three hundred and eighty-two feet in length. Two other wings extending to the west from the extremes of the two already built, can hereafter be added if required. In the basement of the centre building, are a kitchen and dining room for the superintendent, a kitchen and dining room for the subordinate officers, and the kitchen for the general purposes of the house. The latter is furnished with a steam boiler and cooking apparatus of the most improved kind, which are supposed to be sufficient to do the work for a family of at least two hundred and fifty inmates. It is also furnished with a steam engine of three horse power, which is used in part to elevate water from the cistern to a tank of the capacity of 2,500 gallons in the fourth story, from which water is taken by means of leaden pipes to all parts of the house where its use is required; and in part to furnish a power for boring and morticing chair seats. On the first floor above the basement is the Managers' room with rooms for the superintendent and his family. On the second are two large rooms for the sick, and sleeping rooms for the officers, and on the third is the chapel, which is well arranged and commodious, and will seat four hundred persons and more if necessary.

In the basement of the north wing is a bathing and washing room furnished with a plunging bath of the capacity of 5,000 gallons, a shower bath, and also with pipes and cocks so distributed that each delinquent can at the same time perform his ordinary ablutions under a running stream of water without interfering with, or being interfered with by any other. There are also in the basement of the same wing, a washing, drying and ironing room, tailor's shop, seamstresses room, and store room. The first floor embraces the dining-room, school-room, recitation-room, and a room for the library; and on the second are the dormitories, which are seven feet square, and are arranged in two tiers on either side of a hall fifteen feet in width, running the whole length of the wing. Each dormitory has a narrow window extending from the floor to the ceiling, rendering it light, airy and pleasant, and a ventilating flue which can be opened and closed at pleasure. The whole building with the addition of a few dormitories in the north wing will well accommodate 200 delinquents with the officers and hands necessary to take charge of them.

After this description of the capacity and complete fitting up of the institution, it may surprise the reader to learn, that the whole number of delinquents received since the opening of the institution in August 1849, is less than one hundred. The number received in the course of the year 1850, was only sixty-one, and of these, thirty-one, (or more than half,) are of foreign birth, and six are colored. Of the sixty-one, thirty-eight are over fourteen, but how much over, the Report does not inform us. Fifty-five of the sixty-one were committed for burglary and larceny, and one for arson. Of the other four, three were committed as vagrants, and one for disorderly conduct. Every one of the alleged causes of commitments, is an indictable offence.

ART. VI.—WHIPPERS AND ANTI-WHIPPERS.

THE inquiry was raised some months since in the Legislature of Massachusetts, whether the law passed May 1, 1849, forbidding the use of corporeal punishment in the State Prison at Charlestown, ought not to be repealed, and the former discipline by stripes, restored. The subject was referred to the standing committee on prisons. The majority of that committee reported in favor of a return to the whip,—chiefly because the substitute of solitary imprisonment was a loss to the State, both in a pecuniary and moral view. The aggregate of time lost in eleven months ending April 1, 1850, was nine hundred and sixty-two days. Not only is this time all lost, but the health of the convict is impaired, and “consequently economy, health, humanity and discipline, are not promoted by the substitution of solitary punishment for stripes.”—Rep. p. 5.

Where stripes have been dispensed with in common schools, “the results have been most disastrous.” And again,

Information derived from the officers of the prison shows, in a vast majority of cases requiring stripes, from one to three have sufficed; and many instances are known to exist, where every other expedient had failed, and this, as a final resort, had effected an entire reform in the convict, while remaining in the prison, and afterward, when released from prison, has blessed the rod and him who hath appointed it. When the convict receives the just punishment of his crimes, it does not fill his mind with revenge, but on the contrary, is a blessing to the prisoner and the prison.

There are some cases in the State Prison at Charlestown, of the most extreme obstinacy that have come to the knowledge of your committee; and yet it is believed with the power to use stripes, administered with discretion, some, if not all might easily be brought within the ordinary discipline of the prison. In one instance, a convict has been confined in solitary for months in succession, has endangered the lives of the officers, in repeated instances, and has been arraigned for these offences before the court, and an additional sentence of four years, with four months solitary confinement added to his sentence. It is believed by the officers of the prison, that were the power to use stripes restored, and placed under a wise and efficient administration, he might be restored to labor greatly to his own benefit, and that of the discipline of the prison.

The minority report takes a different view of the case, and brings out some interesting and instructive suggestions. It ascribes the failure of the experiment to maintain discipline without blows, partly to a want of hearty co-operation among

the officers, one of whom was heard to say, "It is no use to do anything here ; our right hand is taken away from us," (meaning "the cats.") "Officers sometimes speak to men as if they were dogs." Another cause of the failure is said to be, the absence of any provision for making up to the prison the loss of labor consequent on solitary confinement, some of the convicts preferring idleness and solitude, to association and labor.

The law should be amended so as to apply a simple and effectual remedy for its abuse ; and this, it is believed, can be done by adding to the term of sentence to hard labor, the time wasted in solitary confinement for violation of prison laws and regulations, such addition to be subject to the approval of the warden and inspectors of the prison.

Some very just views of the duties and responsibilities of the warden, are presented in the minority report, and though we have often urged the same considerations, they may be regarded with more interest in their present connection.

The success of any code of prison discipline, mainly depends upon the competency, efficiency, and fidelity of the warden. Under any system, a large discretion and power, (probably misprinted for discretionary power,) are vested in this officer, and if this discretion and power should not be exercised judiciously, temperately, and humanely, the warden should be removed, and a successor appointed, who will administer the duties of his office, in such a manner as is contemplated by the laws from which he derives his authority. The warden, by accepting the trust committed to him, assumes all the obligations belonging to the trust, as well as all its responsibilities. Prison discipline should be adapted to the promotion of the moral improvement of the convict, as well as for his punishment. This consideration should never be abandoned for the mere purpose of promoting the ease, gratifying the taste, or diminishing the reasonable duties of the officers. The true standard of prison discipline is that, which upon the whole, will produce the best moral results ; not that which can be administered with the greatest ease to the officers. Officers, having charge of an extensive penitentiary, are expected to have labors to perform and difficulties to encounter ; and, unless these labors are performed well, and these difficulties resolutely met and overcome, if not unreasonably formidable, the competency of the officer may well be questioned. The warden being the official head of the government of the prison, is officially responsible for the faithful discharge of duty by the subordinate officers, who are always subject to removal, if found wanting in capacity, faithfulness, or efficiency. And as this summary power can be applied at any time for cause, no good reason exists for the retention of delinquent officers, after a fair trial. These views and considerations are introduced to show, that the warden may, at any time, protect himself from the consequences of abuses of authority in subordinates, if he is himself vigilant and faithful.

From the responses which the officers of the prison returned to sundry inquiries put by the committee, we select the following, as affording a fair specimen of the variety, peculiarity and contrariety of opinions.

One witness says, "He thinks whipping is more degrading than solitary confinement." "Time is lost in consequence of solitary confinement." "If he had a brother in prison, he would prefer that he should receive stripes as a punishment, rather than be subjected to solitary confinement half of his time, because his health would suffer less." "Thinks some convicts would be influenced favorably, if the amount of time lost in solitary confinement was added to sentence to hard labor." "Some lazy prisoners prefer, at times, solitary confinement to hard work." Another witness "thinks the lash ought to be again introduced for the government of prisoners." "Thinks all the men, on limited sentences, are anxious to get out as soon as their time is out, and would be better governed if the time spent in solitary confinement was added to their sentence to hard labor." "Stripes subdue quicker than solitary confinement." Another, "thinks solitary confinement produces colds and rheumatism." "Thinks that, if time spent in solitary confinement was added to hard labor, it would have a very good effect." Another thinks "corporal punishment is good in its effects,—better than solitary confinement." "Men don't feel the effect of solitary confinement so soon as whipping." "Thinks health is injured by solitary confinement." "Some men work well immediately after being whipped." Some do not work better after being whipped than after a week's solitary confinement." "If time spent in solitary confinement was added to hard labor, it would have a good effect on discipline." "If authority to use the 'cats' was given to the warden, and prisoners knew it, it would have a good influence on discipline." Another says, "the conduct of prisoners, after solitary confinement, is submissive and obedient." "Thinks the most hardened and turbulent could not be subdued by whipping." "Prisoners are not more insolent now than before the abolition of stripes." "Thinks pickling 'cats' was an abuse." "'Cats' were put in strong brine, and kept till they were like wire." "Has seen them in this state." Another witness says, "he knew the 'cats' were put in brine." Another witness says, "prisoners were sometimes subjected to solitary confinement after being flogged, flogging having failed to subdue them."

The testimony of the masters of the Houses of Correction, visited by the committee, where corporal punishment has been abolished for a number of years, was uniform to the fact, that the experiment of abolishing flogging in these institutions, was entirely successful. One of these officers, of large experience, says, "he finds no difficulty in managing prisoners without flogging." "Never had a man that he could not subdue with solitary confinement and short rations." "Never had to confine more than eight days, and that in only one instance." Another of these officers, of no less experience, says, "he has full confidence in the efficacy of short diet in subduing the most hardened and obstinate." "Short diet operates physically and mentally, and thus produces submission." "Never knew any bad effects from short diet and solitary confinement." "Never apprehended that any prisoner would starve under this discipline."

Captain Robbins, the distinguished disciplinarian, who has had charge of the South Boston House of Correction many years, has had twelve thousand convicts under his charge, and has succeeded in making that establishment a model penitentiary for order and discipline, without ever resorting to stripes.

We had supposed these elementary questions were much nearer being settled than they seem to be, in a portion of our country where so much has been said, and written, and printed, (besides all that has been supposed, and fancied, and painted,) on the subject of prison discipline. It is to be hoped these

minor matters will soon be adjusted, and a fair and hearty effort commenced, to make the discipline (whatever it is,) of some real and obvious advantage to the convict, and to the community. The inquiry with men of common sense, is not a moral, metaphysical, nor economical one. It is simply this,— How far does your discipline serve to make rogues in prison better, and rogues out of prison fewer? If we put the public to the expense of detecting, arresting, maintaining and trying men for crimes, the public have a claim to know whether they gain any thing by so expensive a process. We see by the report now before us, that of twenty-seven convicts discharged by pardon or remission of sentence, ten are known to have led a vicious life afterwards.

ART. VII.—JUVENILE DELINQUENCY.

Among the various subjects embraced in the inquiries of the late Parliamentary committee, was that of juvenile delinquency, respecting which they say, (very safely,) "That a larger amount of industrial training and reformatory discipline may advantageously be adopted in their case than in that of ordinary criminals." Page vi.

That juvenile crime has increased in a ratio far greater than population or adult crime there could be no doubt—and one chief cause was believed to be, that a vast number of acts were made criminal by various acts of parliament, and punishable by fine or short terms of imprisonment. These offences are mostly within the range of idle and mischievous boys and youth, and as the culprits cannot pay in purse they pay in person. "The mind of the child thus becomes familiarized with a gaol. A prison is at once disarmed of its terrors and its shame. In a gaol the novice in crime gets acquainted with the hardened in guilt; he finds himself the object of commiseration; he finds that he is better clothed, better fed, better housed and better cared for within its walls, than in the habitation of his parents or the workhouse of his parish; hence petty delinquen-

cies become the prelude to the gravest crimes, and the child, acclimated to the atmosphere of a gaol, grows up to manhood, disabled from gaining an honest living by having had the brand of crime stamped upon his forehead, and he so remains, perhaps, for years, a continual burden to the State, until his education is finished in some first-class penitentiary, at an expense of some \$150 or \$200, preparatory to his transportation from his native land at a further cost of the like sum.

"If, when this child was first charged with violating the law, or was first found in destitution on the threshold of crime, he had been placed in a reformatory establishment, surrounded with means and appliances for mental, moral, religious, and industrial training, instead of costing his country, in loss by plunder and in expense of prosecutions, imprisonments, and transportation, from \$500 to \$750, he would, for one-third of that price, have been rendered a useful and valuable member of society, either at home or in any one of our colonies to which, as a free emigrant, after proper training, he might be willing to be transferred.

To carry out this object, in a cheap and efficient manner, it is proposed to establish national asylums, in which all children, of both sexes, however numerous, may be received, and where they may be classified according to their sex, age, and strength, as well as their past pursuits and associations: and where they may, from time to time, be re-arranged according to their conduct, character, and attainments, and according to their intended vocation in after-life.

These establishments, it is intended to place under the supervision of government inspectors and boards of magistrates, on the line of the great trunk railroads, by which children could be transmitted safely, cheaply, and expeditiously to and from different parts of the kingdom. Outdoor labor is to be united with mental and religious education, and with instruction in mechanical employment. The length of their continuance in the asylum is not to be determined by a sentence of years or months, but by good conduct, industrious habits, and proficiency in some industrial pursuit, which will distinguish the inmates as fit for apprenticeship in this country, or the colonies, or to en-

ter as volunteers in the naval or military service, as may best suit their taste and inclination.

The cost of these establishments, the committee say, would be very inconsiderable when compared with the enormous sums which, in one form or another, these wasters, these destroyers of property, now entail upon some portions of the community. Children taken into the asylum before they are confirmed in evil habits, or hardened in criminal pursuits, may be easily controlled, trained, and instructed and may, to a considerable extent, be made productive, if stimulated by a prospect of reward, to engage in useful and profitable labor suitable to their age, strength, and disposition. "The expense of the juvenile prison at Parkhurst* affords no means of comparison as to the cost of such an establishment as is here proposed, or as to its influence upon the character of the inmates, or its effects upon the interests of society at large. Upon the excellent managers of Parkhurst devolves the difficult and all but hopeless task of controlling and correcting the inmates, who, although young in years, are old in crime, and who, bearing about them the brand of convicted felons, are insensible to those incentives to industry and good conduct which, with an untainted character, the prospect of future success, in a useful and honorable calling, could scarcely fail to inspire in the youth of the proposed asylum."

The cost of clothing and feeding the inmates of the proposed reform schools would be borne by the children's parents or their parishes; by those who, by the laws of God and man, are now bound to provide them as destitute children with shelter, and with food and clothes.

It is a notorious fact, say the committee, that immoral and dishonest parents encourage their children to commit crime; negligent and thoughtless parents permit their misconduct; selfish and unnatural parents leave them in a state of destitution, which they know must infallibly lead to starvation or thieving; and even parochial authorities, by their neglect of parentless and

* The annual expense of Parkhurst establishment for young convicts amounts to 25*l.* 6*s.* 11*d.* each inmate: more than sufficient to provide them with a boarding-school education; and more than the wages on which the greater portion of the agricultural laborers have to support a whole family.

friendless children, though they may close their eyes against the consequences of their neglect, do, in fact, contribute to the same result. Both parents and parishes know that they are by law bound to provide for children in a state of destitution; the child has, however, only to add crime to destitution—has only to join the criminal classes—and the trouble of its future government, and the expense of its future maintenance is, as the law now stands, transferred at once from the parent and the parish to the county and the State.

To effect these great objects, it is proposed to enact, that “all children under a given age, say sixteen years, found violating the law, or in a state of destitution, which will inevitably lead to crime, shall be taken before the magistrate, and, instead of being committed, as is now the case, to a criminal prison, they shall be sent to the proposed asylum; and the parents (and failing the parents’ ability, the parishes to which they belong) shall pay the dry expenses of diet and clothing; say two shillings or three shillings per week, as the case may be. The effect of such a legal enactment would be, that parents and parochial authorities would exert themselves to control, educate, and obtain employment for those for whom they are bound by law to provide; and if they failed to do this, parishes and parents would have no right to complain, that, having neglected to perform their duty, the State should interpose and do their duty for them. Parishes and parents will have no right to complain if the State places itself in *loco parentis* for the purpose of making those happy and useful who would otherwise be wretched and useless members of society, charging the parent or the parish with the expense of their support; an expense which has hitherto been thrown most unjustly upon the county rates, or has been defrayed out of the fund raised from the taxation of the nation at large.”

It was probably in consequence of these views, which had been presented by the City Solicitor of London, to a popular meeting, held in October, 1841, as a “plan for checking the growth of juvenile crime and providing for the mental, moral, religious and industrial training of destitute youth in the metropolis, and other large cities and towns,” that one of the Parliamentary committee suggested the following resolutions:—

"1. That the witnesses examined by this committee as to the effects of the present systems of prison discipline on the class commonly designated as juvenile offenders, unanimously confirm the opinion which might be formed from their increasing numbers and frequent recommittals—that imprisonment, as now practised, has little salutary operation on their characters and actions.

"2. That the corrective treatment of children and very young persons should naturally and justly be different from that inflicted on adult and fully responsible criminals, and that the places of confinement and restraint to which such young offenders are transferred should be rather of the nature of penal and industrial schools than of ordinary prisons.

"3. This committee, therefore, recommends that district schools of this character should be established with as little delay as possible, and that, the discipline of such schools being distinctly reformatory, the locality should, if possible, be separate from that of the prison, and that the superintending officers be specially appointed for the service of such school.

"4. That it is the opinion of this committee, that no child under nine years of age should be regarded as accountable for any act of felony or misdemeanor.

"5. That in cases where there is reason to believe, that a child on being dismissed from such a penal school would be in great danger of falling back into habits of crime, this committee would recommend that legal powers of detention for a given period beyond that to which the child is sentenced, should be given to the visiting magistrates, with the consent of the Secretary of State.

"6. That the parents or parent of any child sent to one of these penal schools should be, as far as possible, compelled to contribute to the support and education of the said child, and that the fines now leivable on juvenile criminals by summary jurisdiction, should be recoverable from their parents or parent."

It appears that the committee were not prepared to take such a definite position as these resolutions contemplate, and only agreed to the non-committal minute which we have quoted above.

We are satisfied that a much more comprehensive view needs to be taken of the subject of juvenile training as a preventive, than has hitherto met our eye. We may perhaps, venture at some future time to present it.

"The experiment has never been tried," says an intelligent British magistrate, "of a State provision for *innocent, but destitute and unprotected children*, nor of any compulsory payment from the parent for the *proper maintenance and education of his child*. We must not be told therefore of Refuges and Magdalens, and Schools of Industry, and Philanthropic Societies, and provisions for poor criminals on their release from prison, or of any results which have followed on their adoption, as reasons why a new plan for rescuing the young, not from criminal causes or associations, but from the idleness and neglect

which will lead to them, should not be tried. They are no examples for this purpose. We are satisfied from a long experience in such matters, that no difficulty would be found in placing out boys well taught, well brought up, under rules of strict discipline, and who have not yet become criminals. The expense of maintaining them as innocent children will be far less than that of maintaining them as felons, while we shall be destroying the root of this Upas tree, which stands in the midst of every densely populated neighborhood, spreading its branches so far in every direction, that the good and virtuous even can at length reach them, and think they are destroying the tree by endeavoring to keep its unwieldy limbs within bounds by the pruning-knife. A most fatal error!"

The same magistrate regards the great causes of juvenile depravity and crime in the metropolitan districts, to be "the absence of proper parental or friendly care, and the absence of a comfortable home, and," he avers, "that all children above the age of seven, and under the age of fifteen years, suffering from either of these causes, require protection to prevent their getting into bad company, learning idle and dissolute habits, growing up in ignorance, and becoming an expense and burden on the country as criminals, and that such protection should be afforded by the State." He then proposes—

1. That an asylum for unprotected and destitute children shall be founded by the government, to be called the Child's Home.
2. That provision be made in such asylum for instructing children in all useful arts, trades, and occupations suitable to the working classes.
3. That unprotected and destitute children shall be deemed to include all children above seven and under fifteen years of age under the following circumstances:—Children driven from their homes by the bad conduct of parents—Children neglected by their parents—Children who are orphans, and neglected by their friends—Children who have no one to protect them or provide for them, or for whom no one does provide—Children who, from their own misconduct, have no protection or provision found them—Children who are idle or dissolute, and whose parents or friends cannot control their bad conduct—Children who are destitute of proper food, clothing, or education, owing to the poverty of their parents or friends, but whose parents or friends do not apply for or receive parish relief—Children who are destitute for want of employment, and children of the class which become juvenile offenders generally.
4. That any such child as aforesaid may be brought before any two justices of the peace, by any constable or other peace officer, or by any overseer of the poor or other parish officer, and evidence on oath being given to the satisfaction of such justices, that the child is one of either of the classes enumerated in the foregoing clause, such justices may sign an order for the admission of the child into the asylum.

5. That when in the asylum, if not claimed or redeemed as hereinafter provided, the children shall be subject to be dealt with as the state thinks proper.

6. That on a child being admitted into the asylum, inquiry shall be made by the commissioners as to the circumstances of the parents or other persons now by law bound to support the said child, and if found able to support, or to contribute to the support of the said child, the justices sending the said child to the asylum may make orders from time to time for any amount of contribution to be paid for or towards the support of the said child in the said asylum.

7. That such sums be collected for the use of the asylum by the overseer or rate-collectors of the parish where the persons on whom the order is made reside, and that power be given to attach the property of such persons, or wages in the hands of masters, or due from masters of such persons, in cases of working people or servants, to satisfy the amount named in such order.

8. That all children sent to the said asylum be taught several useful trades, arts, or occupations, besides the usual education of reading, writing, and arithmetic.

We very reluctantly, and only for want of room, postpone to a future number, what remains of this article, in which a bird's eye view is taken of the present condition of the institutions in our own county for juvenile offenders, and in which are suggested some considerations for their improvement.

ART. VIII.—UNDETECTED CRIME.

Most persons would be surprised, we presume, if they should be credibly informed how many crimes are committed, the perpetrators of which are never detected. If we take up a volume of a daily newspaper, published in any of our largest cities, we shall find scarcely a number, that does not record some new case of high-handed crime. Murders, piracies, and brutal assaults, usually excite public feeling, and produce a momentary sensation of personal danger. If the pursuit of the offender is successful, the interest is kept alive by a notice of his arrest, and the preliminary proceedings of a legal investigation. It is renewed when the trial occurs, but is lost as soon as the party is discharged or convicted. It is very rare that any effort is made to trace the violent deed to any other individual, if the first scent proves false. The claim of the public for some redress of its injury, seems to be virtually

barred, by a sort of conventional statute of limitations, and the offender is, perhaps, living securely at his ease, in Canada, Texas or Mexico. If no clue to the author of the crime is obtained within a short time after its perpetration, it is rare that the case is kept in view. Every day brings its due quota of cases to the police dockets, and it is only where some unexpected disclosure reveals a new vein of circumstances, which some astute constable under the stimulus of a tempting reward, has a passion to explore, that an old case is brought to public view.

It is easy to illustrate what we mean. Most of our readers will remember the case of a very respectable farmer, a member of the Society of Friends, and so far as is known, without an enemy in the world,—who was passing along the public highway in Camden, and his life most barbarously taken, a year or two ago.

The deed filled the vicinity with horror,—search was made, and rewards offered, but the perpetrator of the bloody deed has not to this day been discovered, and who would think of pursuing the inquiry now? The victim has long been in his grave,—his family and his friends have become reconciled to his fate, and the wound which was inflicted on the sensibilities of the public, is healed over, with scarcely a scar to indicate where it was.

The United States mail was robbed some few months since, while the car containing it was passing on the rail-road, within cannon shot of the State House. The bags were taken from the cars, deliberately rifled of their contents. No clue to the robbery has ever yet been obtained. It was the second robbery of the same mail, in nearly the same place.

We can call to mind a score of burglaries, murderous assaults, incendiарisms and thefts, large and small, not one of which has been traced to the guilty party, nor has even a suspicion been fixed on any individual. The undetected cases of stabbing, riot and murder, attendant on popular tumults, would of themselves, make a long list.

We have attempted to obtain from the prosecuting officers in three or four of our chief cities, some estimate of the probable number of offences which escape punishment, but

have not succeeded, perhaps because the thing is impracticable. If any of our readers have the means of throwing light on the subject, we shall be glad to hear from them. There are various ways for accounting for the failure, in so large a proportion of cases, to bring offenders to punishment. Among them we may mention, (1.) The unwillingness of citizens to be involved in the prosecution of offenders.—There is the attendance on the grand jury as prosecutor,—and at court as a witness, when the case is tried,—with the loss of time, interruption of business, and incurring the ill-will of “nobody knows who.” (2.) The ease with which a rogue dodges between our independent sovereignties and escapes beyond the jurisdiction of the officers of justice, and the boundless range which our country affords for his wanderings. (3.) The easy virtue of too many who are entrusted with the early custody of prisoners, or their neglect or indolence, or a want of promptness or tact, in the pursuit of suspected parties. (4.) Connivances, defects, oversight or weaknesses in the administrators of the law.

The necessity will be laid upon us at some not very distant day, of giving to our criminal processes, a little more stringency, and of holding executive officers to a much stricter responsibility. The prodigious influx of adroit rogues from the old world, which will not be essentially checked by any legislation, general or local, will give a new boldness and address, to our criminal population, and will call for corresponding energy and astuteness, in those who are appointed to look out for them.

We are not prepared to say what modifications may be needful, (except that when a rogue is caught, he shall be held fast till he has satisfied the demands of justice,) but we think it relevant to allude to a suggestion of the chief magistrate of Birmingham, (Eng.,) which has occasioned no little discussion in that country.

At the opening of the sessions, October 19, 1850, Mr. Hill, the Recorder of the borough, in addressing the grand jury, propounded a scheme for the effectual repression of crime. It is notorious, he said, to all the world, that a numerous class exists among us, known individually to the officers of justice as persons who follow crime as a calling, and who have no other means of subsistence than the remuneration which belongs to their nefarious course of life. For a time, not unfrequently extending over several years,

they follow this calling with impunity, because no opportunity has been found to bring home to them any particular act of crime. That they must of necessity commit offences daily, is just as well known to the police, as it is known to us that the passengers whom we meet in the streets, must daily eat and drink, although we do no follow them to their homes, and are not able to aver that they have taken food of any particular kind, or at any particular moment. The question for consideration is, whether the period has not arrived, when the knowledge thus possessed by the officers of justice may be made available to the breaking up of those gangs which hold us in a state of miserable fear, and which, by the example of their impunity, obtain recruits, and spread abroad a moral pestilence. Probably, you will be of opinion that no Englishman has much cause to be afraid that he will, at this day, be exposed to wilful oppression in our courts. If, then, he can be secured from embarrassment in his defence, no ground will remain why we should forbear from calling on a party to defend himself against a charge arising out of a course of conduct, any more than from a charge arising out of a particular act or acts. And this object, I think, may be accomplished, as I will proceed to explain. But I shall probably make myself better understood, if I call your attention to an instance in our law in which the principle in view has been acted upon, or, at all events, very closely approached. There is a statute on the books by which a reputed or suspected thief, by frequenting streets and certain places therein described, which are supposed to furnish greater opportunities for plunder than others, may, if the magistrate before whom he is brought infer from such frequenting, that his intent was to commit a felony, be adjudged to be a rogue, and be punished with imprisonment. Here, then, we see that, by the law of England, a person, under given circumstances, may be treated as a criminal, and deprived of his liberty, without proof against him that he has committed any act which of itself is of a criminal nature. This provision, which is now nearly a century old, is no doubt a wide departure from the general principle of our jurisprudence, to which I have adverted. No complaints, however, have arisen out of the exercise of this authority, open to abuse as it certainly would appear to be. What I would propose is, that when by the evidence of two or more credible witnesses, a jury has been satisfied that there is good ground for believing, and that the witnesses do actually believe, that the accused party is addicted to robbery or theft, so as to deserve the appellation of thief, he shall be called upon in defence, to prove himself in possession of means of subsistence, lawfully obtained, either from his property, his labor, or from the assistance of his friends. On the failure of such proof, let him be adjudged a reputed thief, and put under high recognisances to be of good conduct for some limited period, or in default of responsible bail, let him suffer imprisonment for the same term. And, as in matters of such moment, it is always advisable to proceed with great caution, I would, until the experiment has been tried and found successful, confine the operation of the law to persons who have already been convicted of a felony, or of such a misdemeanor as necessarily implies dishonesty in the guilty party, as for instance, obtaining money or goods under false pretences. As the testimony against the accused would only amount to a presumption of guilt, so it should seem but reasonable that such testimony might be met by a counter-presumption, arising out of the fact, that his wants did not place him under any overwhelming temptation to commit the crimes, in which he was supposed to be engaged. By this course of proceeding, he would be relieved from the danger of undue embarrassment in his defence. A party in the enjoyment of an honest means of subsistence, can have little difficulty in proving the fact. Doubtless a law so framed, would leave some thieves still at large, because it would be too much to assume that none are in the habit of stealing who have other sources of maintenance; yet it would argue very little knowledge of the predatory class, not to see that such a provision would enable the ministers

of justice to withdraw from society nine-tenths of the criminals, who now roam at large.

We are not prepared to say how far such a provision as Recorder Hill suggests, would accomplish the purpose he has in view, nor indeed, how far it would prove practicable if attempted. Inasmuch, however, as arrests are difficult,—escapes easy,—prosecutions expensive,—convictions (of the guilty parties) often defeated,—and pardons not rare, it would seem the dictate of wisdom, to apply checks, and counteracting agencies, to the criminal intent, tendency, or position of the party. As a general thing, an idle, able-bodied poor man, has no right to complain, if the eye of the police follows him wherever he roams or rests. His very idleness is an offence against all social laws. He wrongs somebody, and only wants a faint impulse to push him into a league with burglars and incendiaries, or to turn his hand to the more sedentary employment of forging and counterfeiting. It seems a pity that he should be left in this predicament till he becomes a master of iniquity, when perhaps, by the interposition of some mild but timely restraint, his course of life might be entirely changed. Our own impression is, that if half the pains were taken to *divert* men from these criminal courses, which we take in their pursuit and conviction, when they have fairly entered upon such courses, society would be a large gainer.

ART. IX.—PENNSYLVANIA HOSPITAL FOR THE INSANE.

The report of this invaluable institution for the year 1850, is before us, and furnishes abundant evidence of the skill and success with which its affairs have been administered under the continued supervision of Dr. KIRKBRIDE. Four hundred and twenty-eight different patients were under treatment during the year—and an average of two hundred and nineteen. Of two hundred and fifteen who left the hospital during the year, one hundred and six were cured, and sixty-one more or less improved. There were twenty-seven deaths during the year. Of the cured forty-four were in the hospital less than three months, and only one for more than twelve. Of the deaths, six occur-

red within two weeks after their admission and eight others within twelve. One of the deceased patients had been forty-five years in the hospital.

In respect to the connection of religion with insanity, Dr. K. remarks:—

The number of cases attributed to religious excitement is proportionately nearly the same in the two sexes. A large proportion of these have been induced by individuals of peculiarly susceptible tendencies, often in delicate health, being exposed to long-continued excitement on the subject, in reference to which no well-regulated mind can but feel the deepest interest; and by loss of sleep, confinement at home, neglect of customary pursuits, and sometimes by the injudicious interference of well-meaning but indiscreet friends, who, from an entire misunderstanding of what was rapidly becoming a case of serious disease, have pursued a course calculated only for minds of perfect integrity. Religion, pure and undefiled, is no cause of insanity, but more, perhaps, than any thing else, tends to that state of mind which preserves from the effects of the varied trials, misfortunes and excitements to which mankind are exposed.

Of the use of tobacco, which is supposed to have been the cause of insanity in four cases, the report says:—

The use of tobacco has, in many individuals, a most striking effect on the nervous system, and its general use in the community is productive of more serious effects than are commonly supposed. Its excessive use is apt to develope gastric derangement and disorders of the nervous system, and renders active other influences that might have been harmless. In many chronic and recent cases of insanity, the effects of a temporary indulgence in it are so striking as to attract the attention of all who are habitually about the patients. After no inconsiderable amount of experience in reference to this article, I have no hesitation in saying, that I have never seen any thing more than a temporary annoyance, such as would occur in giving up any confirmed habit, result from its entire discontinuance; and by that course alone the complete re-establishment of impaired health has often been produced.

The success which has attended the introduction of ward libraries is very gratifying.

On the vital subject of warming and heating, Dr. Kirkbride has the following very decided language, which we have no doubt he can fully justify by reference to his personal observation and experience:—

Heating by steam or hot water in connection with a forced ventilation, has now been so fully tested under various circumstances, in our highest latitudes, and its great superiority over every other mode now known, so clearly demonstrated, that hereafter public opinion will hardly justify those to whom is intrusted the high responsibility of providing buildings for the permanent accommodation of large numbers, whether in sickness or health, for adopting any of the very imperfect kinds of fixtures heretofore employed. The extra first cost of a steam apparatus for heating and ventilation will scarcely be deemed a sufficient apology for withholding the comfort and blessing of an abundance of pure fresh air from those of our fellow-men who

are deprived of the power of seeking it for themselves. It would certainly in all cases be better to dispense with every thing merely ornamental in its character, than to reject what is calculated to give that which ought to be regarded as one of the first necessities of life rather than as among its luxuries.

There is no month in the year, in this climate, in which it does not occasionally happen that some morning or evening has a degree of dampness or chilliness that is not pleasant, and in the autumnal months, before fires are generally started, they are of common occurrence. From the single boiler which is kept in use a part of each day, for heating water and forcing ventilation, it is easy at any time, at very short notice, to pass the steam through all or a part of the heating-pipes, and continue it there as long as may be deemed desirable.

- How much this may contribute to the comfort and health of the inmates of a large establishment is not easy to estimate, and when autumnal diseases are common, it will probably do more than any thing else to prevent their prevalence in our public institutions.

The truly charitable character of the Pennsylvania Hospital could not be more strikingly shown than by the fact, that of the total number received, four hundred and forty-eight were indigent Pennsylvanians, taken care of and treated in the best manner, without charge of any kind, and a large part of them returned to their friends fully restored. On this class, most of whom must have remained without treatment but for the charitable provision of this institution, \$67,410 46 of its income have been expended.



AET. X.—REPORT OF THE INSPECTORS OF THE WESTERN PENITENTIARY OF PENNSYLVANIA. For 1850, pp. 18.

A document remarkable for crowding a great deal into a little space. The report of the inspectors, occupies not two pages, and expresses in general but emphatic terms, their entire confidence in the separate system of discipline in use there. The warden takes but a single page, in which he tells us, that the number of convicts in prison, July 1, 1850, was one hundred and thirty-two males, and two females. Seventy-two were received, and sixty-nine discharged during the year. Of those received, forty-five, or nearly two-thirds were under thirty years of age, and thirty-five, or nearly half, were unmarried. Only ten of the seventy-two were temperate. Of the prisoners in charge at the date of the report, forty-eight were foreigners, and eighty-six Americans.

The physician's report occupies three pages, and states that:

vol. vi.—14.

only one death has occurred during the year, and that was of a person who was reported as in a dying condition last year.

Better health could hardly have been enjoyed by the same number of persons, under any circumstances, than has been vouchsafed to the inmates of this prison. During the summer months, cholera prevailed in our city and neighborhood, but there was no tendency to it within the prison, save as manifested in some cases of diarrhoea that were relieved before they put on anything of a serious aspect. Much of the freedom from disease, during the summer months, is, undoubtedly, due to the care and attention of the warden, in having the cells frequently white-washed, and at all times kept clean and comfortable. One case of temporary mental hallucination has occurred, the result of self-abuse—it continued for but a short time. The tables of statistics, in relation to those discharged, during the year, by expiration of sentence, and by pardon, will fully confirm what has been stated in regard to the health of the prison. There have been sixty convicts thus discharged, and *not one* has left the prison but in *good health*, or *better* than that in which he was received, although one-tenth of them had been confined at least *five years* each. Among those discharged by pardon, *three* had been in prison more than *five years each*, another *four years and ten months*, and another over *three years*. *All were discharged in good health*. Such facts—such statistics as are presented by the tables annexed, render any arguments unnecessary as to the effects, upon the health of prisoners, of the “separate system” *properly administered*. They are, themselves, the most powerful and convincing arguments, and ought to silence the objections and cavils of the theorist—satisfy even the previously prejudiced, as well as remove the doubts and fears of the sincere philanthropist.

Then follows a table showing the state of health on reception and discharge, the duration of imprisonment, the sex and color of each criminal discharged by expiration of sentence during the year.

The following passage is from the moral instructor’s report.

There are, at the present time, one hundred and thirty-four convicts in this prison. Of these one hundred and seven confess they were *intemperate*. Murders and other terrible crimes were committed by men in whom, at the time, the demon of drunkenness was the governing spirit. The remaining twenty-seven call themselves *temperate* and *moderate* drinkers. In other words, all the convicts in this prison, with some slight exceptions, habitually used intoxicating drinks!! Is there not a fearful responsibility resting upon the heads of those who, by their example and practice, encourage a habit which brings so much crime and misery upon society? It is worthy of consideration, also, in this connection, that the alarming and ruinous increase of drunkenness during the past year, has been followed by a corresponding increase of crime and punishment. At the last annual report the number in prison was one hundred and twenty-three, now it is one hundred and thirty-four.

ART. XI.—REPORT OF THE SANITARY COMMISSION OF MASSACHUSETTS. Presented to the Legislature, April 25, 1850.

THE “Sanitary Question,” or that department of political science which relates to the lives and health of the people, has of late years attracted a large share of attention, especially in

Great Britain. In its discussion, some of the first minds in that country are now engaged, and already the most useful results have been attained. In some of the large cities of England and Ireland, the progress of destructive maladies has been staid through the efforts of the friends of sanitary reform; the hidden causes of disease have been developed by a thorough system of inquiry, instituted under government authority, a knowledge of the physiological laws, by which the human body is governed, has been extended, and new elements of health and happiness have been infused into the body politic. The consideration of the sanitary question as a department of political science, is, in fact, one of the highest developments of modern civilization, and is destined, we think, at no distant day, greatly to ameliorate the condition of the poorer classes—to improve the health of communities, and even to extend the average duration of human life.

In the United States this subject is just beginning to claim attention, and the American Medical Association, a body of physicians, organized in the year 1847, is, we believe, at this time making strenuous efforts to urge the adoption of a system of sanitary measures upon the different State Legislatures.

To Massachusetts belongs the honor of having taken the lead of all the American States in this movement, and the volume before us bears evidence of the earnestness and ability with which that intelligent commonwealth has entered upon the work.

By an act, passed May 2, 1849, the Governor of Massachusetts was authorized to appoint three persons to prepare and report a plan for a "Sanitary Survey of the State," and accordingly, Lemuel Shattuck of Boston, Nathaniel P. Bangs, jr. of Waltham, and Jehiel Abbott of Westfield, were selected for this duty. Their Report, presented to the Legislature April 25, 1850, covers 540 pages, and displays, on the part of the chairman of the committee, an intimate acquaintance with the sanitary movement both at home and abroad. It is replete with valuable practical suggestions as to the means of securing a thorough sanitary survey of the State; and contains, moreover, a vast body of facts upon the general subject of public health.

The Report suggests only the plan; it does not contain the

survey itself—this being matter for future action. It proposes the establishment of a general Board of Health for the whole State, and of local Boards for every city and town, “who shall be charged with the particular execution of the laws of the State, and the municipal ordinances and regulations relating to public health within their respective jurisdictions,” under the direction of the General Board. It recommends “that the laws relating to the public registration of births, marriages, and deaths, be perfected and carried into effect in every city and town in the State.”

That provision be made for obtaining observations of atmospheric phenomena on a systematic and uniform plan, at different stations in the commonwealth.

That the causes of disease and death be accurately reported, on a uniform system of nomenclature.

That in laying out new towns, or extending those already laid out, ample provision should be made for a full supply of light, air, and water; for drainage and sewerage; for paving and cleanliness.

That in selecting sites for school-houses, public buildings, &c., health should be regarded. “That before erecting any new dwelling-house, manufactory, or other building for personal accommodation, the owner be required to give notice to the local Board of Health of his intention, and of the sanitary arrangements he proposes to adopt.” And that Boards of Health endeavor to mitigate the evils arising from over-crowded lodging-houses and cellar dwellings.

That open spaces be reserved in cities and villages for public walks; that wide streets be laid out, and that both be ornamented with trees.

That local Boards of Health ascertain, by observation, the effects of mill-ponds and other collections, or streams of water, and of their rise and fall, upon the health of neighborhoods.

That they provide for periodical house-to-house visitations, for the prevention of epidemic diseases, and other sanitary purposes.

That measures be taken to ascertain the amount of sickness suffered in different localities, and amongst persons of different classes, professions and occupations.

That every city and town in the State be required to provide means for the periodical vaccination of the inhabitants.

That the causes of consumption, and the circumstances under which it occurs, be made the subject of particular observation and investigation.

That nuisances endangering human life or health, be prevented, destroyed, or mitigated.

That measures be taken to prevent or mitigate the sanitary evils arising from the use of intoxicating drinks, and from haunts of dissipation.

That the powers vested in justices of the peace, relating to insane and idiotic persons, be transferred to local boards of health. That these bodies also have the management of places of interment.

That measures be adopted for preventing or mitigating the sanitary evils arising from foreign emigration.

That sanitary associations be formed in every city and town in the State. That tenements for the better accommodation of the poor be erected in cities and villages; that public bathing-houses and wash-houses be established in all cities and villages.

That local boards of health endeavour to prevent the sale and use of unwholesome, spurious, and adulterated articles, dangerous to the public health, designed for food, drink, or medicine.

That institutions be formed to educate and qualify females to be nurses of the sick.

The above are but a small portion of the recommendations made by the commission, with a view of carrying out the intentions of the commonwealth in instituting a sanitary survey of the State. It will be seen, that the great outline of the plan consists in the establishment of a *central general Board of Health for the whole State, and a local Board of Health for each city and town in the State*; these bodies to be invested by law with certain powers and duties, the exercise of which, would affect the individual and public health to an extent heretofore unattainable.

Upon this point the commission thus express themselves :
“ These boards, having the assistance and co-operation of the

people in all the parts of the commonwealth, would be able to bring to bear, by a practical, systematic, uniform and efficient plan, a vast number of minds, and a great amount of intelligence upon the subject of health, and upon the causes and prevention of disease; and it is impossible to foretell the immense advantages which might result from the facts they might collect, and from the discoveries they might make, relating to the number of lives saved, the prolongation of the periods of human existence, and the diminution of human suffering."

We know of no subject to which the studies of men of science and benevolence might be more profitably turned, than to the one of which this interesting volume treats. Its connections are multiplied and various; and the results which it would yield to the patient inquirer, would be rich and highly beneficial.

To Lemuel Shattuck, Esq., the chairman of the commission, to Dr. Edward Jarvis of Dorchester, and to Dr. Curtis of Boston, the public are largely indebted for the zeal and ability with which they have for years prosecuted the subject of sanitary reform; and the Report, which is now laid before the public, mainly through the exertions of these gentlemen, with a little band of kindred spirits in and around Boston, will, we trust, give a powerful impulse to this movement in other States.

To all persons who feel an interest in public hygiene, and who may wish to inform themselves upon it, and especially to the members of the medical profession, to legislators, to the managers of municipal corporations, public institutions, charitable institutions, &c., this work will prove exceedingly valuable.

I. P.

ART. XII.—OUR JOURNAL.

We hope our silence in regard to the limited circulation of the *Journal of Prison Discipline* is not construed into an expression of satisfaction. As the service of editing it is entirely gratuitous, we feel no diffidence in asking for it a more generous support from those who are interested in the subject. And who are not interested in it? In the Christian sense of the term, every prisoner is a neighbor. We are bound to care for him, and none the less because he has sunk to the lowest

depths of guilt and infamy. But in addition to the promptings of duty, we have a direct interest in his being restored to just and virtuous habits. His remaining in a state of hostility towards society and its wholesome laws, is a source of constant danger to those who rely on these laws for their protection, and upon society for their comforts and happiness. The question, what methods of treatment will be most likely to result in the reformation of an offender, or at least, in checking his criminal career, interests us all, and this question is at issue between the advocates of congregate and separate imprisonment. Yet how few, even among intelligent men and those connected directly with the administration of criminal law, have acquainted themselves with the principles on which the two theories rest, or with the advantages which its advocates claim in behalf of each? A few weeks since we met a very intelligent member of the bar of a neighboring State, much concerned with the legislature and courts, and familiar (as we might suppose) with the documents connected with the penitentiaries. Some newspaper brought into notice the distinction between the separate and congregate systems of discipline, and this gentleman vehemently insisted upon it, that the separate and solitary system were one and the same thing; and to shut a man up without any opportunity to see the face or hear the voice of his fellow-man, was doing violence to nature and reason and common-sense. It was quite difficult to convince him that the term separate, when applied to prison discipline, refers exclusively to *convict-association*. A separate prison separates a rogue from the other rogues under the same roof. That is all. The whole world beside may have access to him, provided only that it be for a proper purpose, and that no undue interference is occasioned by it with the execution of the sentence of law.

However paradoxical it may appear, the simple and undeniable truth is, that the separate system allows association, and the congregate system forbids it; and were the two theories fairly carried out to their legitimate and necessary results, a prisoner under the discipline of separation would enjoy more society of a much better kind, and enjoy it to a much higher degree, than his fellow-sufferer in a congregate prison. This is so obvious to those who have taken the trouble to investigate

the theories, or the prisons in which they respectively obtain, that they would scarcely pardon an attempt to prove it; and it is to be regretted, that any should have felt themselves called upon to advocate or oppose either system without such an investigation.

It is, of course, assumed that the construction of the prison-building is as faultless and the administration of the discipline, moral and physical, as entirely in accordance with its theory as it is practicable to make them; and, moreover, that the provisions of the law, as they respect the extent and severity of sentences, the uniformity of proceedings before the various tribunals, the exercise of the pardoning power, and the vigilance and integrity of the police, are well-adjusted and faithfully executed and sustained. For want of these pre-requisites multiplied evils may spring up under either mode of discipline, from neglects and abuses which it is alike ungenerous and unsafe to attribute to an inherent error of principle, whether of association or separation.

This Journal is designed to diffuse correct information respecting the results of these various modes of treating prisoners; and, combined with this, is the communication of intelligence on all subjects connected with the sources of crime and suffering, and the schemes which benevolence suggests from time to time for drying up the former and alleviating the latter. The Acting Committee, under whose auspices the work is issued, have no interest in the success of these efforts other than that which every good citizen may be supposed to feel. They are persuaded that much more intelligence is needed by those who control public sentiment on these subjects, as well as by those who are commissioned to carry into effect the provisions of law for the erection and administration of prisons. We shall never realize in our own State the incomparable advantages of convict-separation until it becomes the uniform discipline of our county prisons; and this will never be brought about until those who take the lead in affairs of this kind are well informed and disposed to sacrifice a penny to day if they have a fair prospect of thereby having a pound to-morrow. Will our friends take a little trouble in this matter, and read the Journal themselves and persuade as many as they may to copy their example?

SHORT NOTICES.

GENERAL INFORMATION.

[In making up this department of our Journal, we are compelled, in many cases, to rely upon unofficial statements and casual newspaper paragraphs. Wherever the statements can be conveniently verified it is done.]

Twenty-fifth Report of the Board of Managers of the Prison Discipline Society. Boston, 1850, pp. 104.

We have had some doubts whether it is worth while for us to allude to this document at all. If we supposed that any notice we might take of it would lead to the circulation of a single copy that would not otherwise be called for, we certainly should forbear. We say this with no unkind spirit. We would not say that the person or persons by whom that document is prepared and published is not influenced by a desire to promote what he or they regard as the best interests of the institution in whose service they have embarked; but we are quite sure their report is not in furtherance of such a desire, and we should regret to be the instrument of giving currency to it, because it would so entirely mislead public opinion upon a subject which we regard as of real importance to the interests of the community. That there are very many true things in it, and things which it would be very useful for the public to know, we need not say. But the section which chiefly concerns the citizens of Pennsylvania, is, from beginning to end, unworthy of the imprint of any man or body of men, that would claim credit for philanthropy or fair dealing. There are scores of gentlemen connected with the Society, under whose favor the report before us is issued, who would cut their fingers off sooner than give currency, by their proper signatures, to such statements as occur on pages 478—480, or to the impressions that will inevitably be made by them. They would scorn the attempt, in such a document, published under such auspices, to "make out a case." They would put an absolute *veto* upon the indulgence of private piques and prejudices in such a document, and would direct a fair, open, impartial presentation of facts, whatever theories might be shocked or overwhelmed by them; they would require proper evidence of all the facts bearing on the point which is urged; and all of them to be stated, too, in their proper connection, and with their proper explanations. They would peremptorily forbid the exhibition of patch-work in such a document, embracing such colors and figures as only suit a jaundiced and distorted eye. They would fearlessly investigate the subject in all its relations, and follow wherever established truth and sound reasoning would lead them. This is the path of true philanthropy; the other, the course of a narrow, selfish, party spirit.

We hope the time is not distant when the reports of the (Boston) Prison Discipline Society will either kindly omit any notice of the Pennsylvania prisons, or refer to them for some other purpose than to misrepresent and defame them.

Colonel Jebb's Opinion of Convict Separation.

The opponents of convict separation have seized upon some insulated passages of English documents, from which they would have it inferred, that Col. Jebb is not friendly to that system. As he holds the office of Surveyor-General of British prisons, and has a high reputation as an engineer, it is of some consequence to have his decided opinion on such a subject, and we have the pleasure to say, that on the 5th of March, 1850, such an opinion was expressed, while Col. Jebb was under examination before the Parliamentary committee. Mr. Alderman Sidney remarked—I have understood you to say, that you are not altogether favorable to the exclusive separation of prisoners; to which Col. Jebb replied: "You have greatly mistaken my meaning, if you suppose I am not in favor of the separation of prisoners, for I think that that is the only sound basis on which the discipline of a prison CAN REST."

These are almost the same words with which the Colonel and his colleagues, (the late Messrs. Crawford and Russell,) closed their Fifth Report to the government. We have never supposed that his views had been essentially modified, but we are nevertheless glad of the opportunity to put him right before he advocates of separation in the United States.

PENNSYLVANIA.

STATE LUNATIC ASYLUM.—We are happy to state, that the Pennsylvania Lunatic Hospital, which has so long been thought about and talked about, is soon to be opened for the reception of patients. The Board of Trustees, consisting of Joseph Konigmacher, Drs. Luther Riley, J. K. Mitchell, Jesse R. Burden, Roberts, Rutherford, H. Campbell, Kirkbride, and Aaron Bombaugh, met at Harrisburg February 15th, and elected Dr. John Curwen (late Assistant Physician at the Pennsylvania Hospital for the Insane) as Superintendent and Physician of the new institution. A happier selection could not have been made.

The hospital will be ready to receive patients early in the ensuing summer.

HOUSES OF REFUGE—White.—The Twenty-third Annual Report is before us. There were received during the year 172 boys and 47 girls. The number discharged was 176 boys and 44 girls; total 220; and one died. There remained, 31st December, 1850, 231—181 boys and 50 girls. The boys, by working at making razor strops, caning seats for chairs, and book-binding, have earned during the year \$6,126 87.

Colored.—Opened December 29, 1849. Received during the year 103.

boys and 45 girls; and during the same period 20 were discharged, 19 boys and 10 girls. The health of the inmates has been good, only one death having occurred. The boys worked at making furniture for umbrellas, and the girls are engaged in the usual domestic avocations. The boys have, by their labor during the year, earned \$1,495 20. Few of those, when received, could read or write, but in the refuge school they are making great progress.

Both departments have been much crowded during the year, and measures are in progress to erect a new edifice for the white department on the site purchased some time since, capable of containing five hundred inmates. We apprehend the time is not very far distant, when the *principle* on which this class of our public institutions rests, will be radically modified.

Pittsburg.—The Pittsburg House of Refuge is in progress. The private subscription of \$20,000 secures the State appropriation of like amount, and a Board has been organized.

CRIME IN PHILADELPHIA.—The number of commitments to the City Lock-up, during the month of January, 1851, were as follows:—White men, 612; white women, 58; black men, 54; black women, 18. Total 742

Of 500 bills found by the Grand Jury for January, 176 were for assault and battery, 69 for larceny, 5 for murder, 4 for arson, 16 for riot, 2 for involuntary manslaughter, 118 for tippling-houses, 9 for carrying concealed weapons, 1 for perjury, 2 for kidnapping, 4 for obtaining goods under false pretences, 3 for libel, and 5 for selling lottery policies.

FUEL FOR THE FIRES OF INTEMPERANCE.—From a table of the quantity and cost of distilled spirits imported into the district of Philadelphia during the years 1844, 1845, 1846, 1847, 1848, 1849, and the two first quarters of 1850, it appears that the aggregate quantity of the first and second quarters of 1850 exceeds the aggregate quantity of the entire years 1844, 1845, and 1846! Of brandy alone there was imported into this district, in the first half of 1850, no less than 438,883 gallons; while the importation of the same article, for the entire year of 1847, was but 164,514 gallons!

WILLS HOSPITAL FOR THE INDIGENT LAME AND BLIND.—The Sixteenth Annual Report of this institution possesses no ordinary interest:

The number of patients admitted during the year, including 29 who were in the house at the close of the previous year, was	226
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The number discharged during the same period, was	186
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Leaving in the house at the date of the report,	40
Of those discharged there were cured,	129
" " Relieved,	51
" " Incurable,	6
	<hr/> 136

Of the whole number there were from the United States, 86; Ireland, 93; England, 8; Germany, 5; Spain, 1; Scotland, 1; West Indies, 1; Wales, 2; in all 197.

The expenses of the year \$4,808 68, and no case of death has occurred.

By the report of the resident physician, it appears, that 437 *out-door patients* have been gratuitously furnished with advice and medicines from the the institution. In 1849, there were 348 of this class of patients, being an increase of 91 during the year just closed.

Many of these would have gladly availed themselves of the advantages of the Infirmary *within doors*, which in some instances would have facilitated their recovery, but were denied admission in consequence of the limited accommodations. When it is remembered that a large portion of the lot on

which the hospital stands is unappropriated, and that the city is rapidly extending around it, the managers cherish the hope, that the time is near at hand when the liberal bequest of the donor will enable them more fully to carry out his benevolent intentions with regard to this afflicted class of our community.

A more reasonable appeal for help is seldom urged.

MAGDALEN ASYLUM.—The Report for 1850, after paying a well-deserved tribute to the memory of the late *George Williams*, who was fifty years an active laborer in the service of the institution, states the number of admissions during the year at 37. In the mean time 30 have been discharged. Seven at their own request; 4 for medical aid at the Alms-house; 8 have been restored to friends; 1 has entered a respectable family as a domestic; 9 have been dismissed for insubordination, and 1 has died. Number of inmates at the date of the Report, 26. The most important measure of the year was the appointment of an out-door agent.

DEAF AND DUMB.—The Report of the Pennsylvania Institution for the Deaf and Dumb, states, that during the past year 44 pupils have been admitted, 14 have left, and 3 have died. There remained in the institution on the 31st of December, 1851, 72 males, 62 females, making a total of 134. Of the whole number 92 are supported by Pennsylvania; 8 by New Jersey; 18 by Maryland; 3 by Delaware, and 13 by their friends in the institution. Expenses of the year \$28,233.

Poor.—Blockley Alms-house, February 10, 1851, had 2,226 inmates, 63 less than last year.

PENITENTIARIES—Eastern.—We did not receive a copy of the Annual Report till this sheet was going to press, and shall defer an extended notice till our next. The number of prisoners January 1, 1850, 299; received, 150; discharged, 150; on hand, January, 1, 1851, 299. Of the discharged, 118 were by expiration of sentence; 31 by pardon, and only 1 death; showing a mortality of one-third of 1 per cent. Seven cases of insanity occurred during the year; two of which were apparently cured in prison, and all but one of which were in cases of more than 20 months' previous to confinement. The excepted one was registered as of rather weak mind when received—had an hereditary tendency to epilepsy, and was pardoned after four months' imprisonment.

Western.—See page 105.

INCREASE OF CRIME IN PHILADELPHIA.—At the late February term of the *Quarter Sessions*, opened on the 3d of the month, the presiding judge, in his charge to the Grand Jury, exhibited a view of the moral state of our community, which is by no means flattering. We have room but for two or three extracts.

In the year 1845, there were 1,602 bills of indictment laid before the Grand Jury; in 1846, 1,698; in 1847, 1,677; in 1848, 1,737, showing an increase of 60; in 1849, 1,967, showing an increase that year of 230; and in 1850, there were 2,070, showing an increase of 103. Showing, that in the last two years the bills have multiplied to the number of 533, while in the three previous years there was an increase of but 135.

On the 7th of July, 1847, it was ascertained that the number of commitments for the four years previous, had been between five and six hundred at a term, making, on an average, about 3,600 a year. By a statement furnished now, it appears that the commitments in 1847, were 4,520; in 1848, 4,316; in 1849, 5,523; in 1850, 7,497. This statement shows an increase in the years 1849 and 1850, over the years of 1845 and 1846, of 5,820; or an average of 2,910 per year.

Whole number of Commitments to the Untried Departments of the Philadelphia County Prison during the years 1847, '48, '49 and '50, respectively.

	1847.				1848.			
	White.		Colored.		White.		Colored.	
	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.
Prisoners received for trial, . . .	1178	183	333	213	1015	185	354	200
Vagrants,	161	143	7	35	238	138	26	21
Disorderly, breach of the peace, threatening, &c.	1114	489	310	493	1199	381	199	318
Disobedient and Runaway Appren- tices, &c.	38		4	3	34		3	
Prisoners committed by U. S. au- thority,	18				5			
	2509	815	654	744	2491	704	582	539

	1849.				1850.			
	White.		Colored.		White.		Colored.	
	Male.	Fem.	Male.	Fem.	Male.	Fem.	Male.	Fem.
Prisoners received for trial, . . .	1371	273	473	242	2018	162	429	266
Vagrants,	240	155	21	18	130	280	10	12
Disorderly, breach of the peace, threatening, &c.	1500	554	255	364	2383	839	369	534
Disobedient and Runaway Appren- tices, &c.	48	1	4		44		1	
Prisoners committed by U. S. au- thority,	4				19		1	
	3163	983	753	624	4504	1281	810	812

Total Commitments for the years	1847.	1848.	1849.	1850.
Prisoners received for trial,	1907	1754	2359	2875
Vagrants,	346	423	434	432
Disorderly, breach of the peace, &c.	2406	2097	2673	4125
Disobedient and Runaway Apprentices, &c.	45	37	53	45
Prisoners committed by U. States, authority,	18	5	4	20
	4722	4316	5523	7497

From the total commitments of 1847 deduct 202 recommitments, and we have the actual total for 1847, 4523.

For the years 1848, '49, and '50, recommitments are deducted.

The leading cause to which this increase of crime is ascribed, is *strong drink*; the sale of which is unrestricted. The following is the language of the charge:—

"I say to you, gentlemen, Philadelphia is one vast GROCERY, and no one who will sit with me in this Criminal Court for two months, and hear the sad recitals of crime arising from the excessive use of ardent spirits, will doubt it. No man who will walk about and examine the captivating blandishments which are presented in hundreds of places, in fashionable saloons, even down to the lowest beer shop, and see the hundreds of thousands that throng them, will question the correctness of my statement, or fail to find abundant cause for this increase of crime.

"Any one who will take the trouble to make a minute examination of the causes which have produced this alarming augmentation of business in the court, and commitments to prison for the last two years, will see enough in this alone to produce the results shown from the records. Perhaps you may ask, why is all this legalized? It is not for me to give the reply. But it is simple. The people have done it through their representatives. And if misery and crime abounds, and is on the increase among us, the wealthy, the respectable, the laboring, the moral and *religious* part of the community are responsible for it. The power is with them, and the remedy can be efficiently applied if the people are disposed to exert themselves.

"It does not become me in this place to say who were the advocates of a measure which is producing such results, although I know it well. It is not for me to cast reflections upon those who, under the garb of temperance, and officers of temperance societies, advocated the passage of such a law. Charity demands that we only say they were mistaken and misguided men; or the cause of temperance was entrusted to the charge of unfortunate agents.*

"I have nothing further to say on this point, only, that while ardent spirits are distributed as free as water on all sides of our streets, and at every corner, so long will crime continue to increase, and the number of indictments in court accumulate."

OHIO.

DEAF AND DUMB.—The Twenty-fourth Report of the Trustees and Superintendent of the Ohio Deaf and Dumb Asylum, gives 128 as the number of pupils, only three of whom are over twenty years old. The term of residence varies from five to seven years. The institution was established in 1827, and has received 462 pupils in all.

BLIND.—The last Report of the Institution for the Blind, states, that the capacity of the building limits the number of pupils to 70, and that it has been full for several years.

The work department exhibits the following results:—

The boys' work shows on the debtor side \$3,134 46, and on the credit side \$3,910 43, leaving a balance in favor of the boys' work of \$775 97. The girls' work shows a debt of \$644 35, and a credit of \$803 48—balance in favor of girls' work, \$159 13.

The superintendent recommends the regular study of the Latin and French languages, as a means of strengthening the memory of the pupils.

INSANE.—The Lunatic Asylum has had under treatment during the year 516 patients; 281 males and 235 females.

* We do not feel at liberty to omit this paragraph, though we have not the remotest idea to what it refers.—ED. PR. JOURNAL.

The average number during the year has been 328, while the asylum has accommodations for only 295. For a portion of the year 351 were confined in quarters barely sufficient for 295; and two beds were placed in rooms of 8 feet by 10.

Of the 193 cases received during the year, 74 have been discharged—59 were cured; 2 much improved; 4 improved; 3 unimproved; and 6 died. Of the total number of patients, 198, discharged during the year, 99 were cured; 53 unimproved; and 22 died.

The per cent. of recoveries, on those received during the year, is 86; on old cases 20.9.

The whole number of patients whose insanity was less than a year's duration, received into the asylum the past twelve years, is 851, of which 631 have been cured.

PENITENTIARY.—The number of convicts received during the year was 193; number in prison at the close of last year, 336; in all, 529. This number has been reduced by expiration of sentence, 42; by pardon, 34; by death, 21; by writs of error, 5; by escape, 3—leaving in confinement at the present time, 424. Nine of the convicts are deranged.

The total earnings the past year were \$35,740 74; and the disbursements were \$26,877 56; leaving a balance in favor of the earnings and receipts of \$8,864 18.

The costs of prosecution and transportation amount to \$17,866 18.

Of the 424 convicts in prison, 80 were born in Ohio, 59 in Pennsylvania, 67 in New York, 48 in Virginia, 20 in Kentucky, 14 in Indiana, 40 in Ireland, 15 in England, 18 in France.

Of the 2,285 convicts received since the penitentiary was opened in 1834, 1170 were from the six counties that contain the principal cities in the State, and it has been inferred and stated, that this shows that the greater proportion of criminals originate in cities.

In commenting upon this fact, a contemporary print says, "It is not so. More are arrested and convicted in cities than in rural districts, but a very large portion of these come into town to *operate*."

By reference to our *New York* head it will be seen, that the conclusion above drawn against populous districts is not without confirmation.

The oldest convict is 74, the youngest 12—there are 25 over 50 years old.

Of the 2,285 received in the prison since it was opened, 1,019 have been discharged, 696 pardoned, 299 died, and 31 escaped.

VIRGINIA.

INSANE.—The Twenty-third Report of the Western Lunatic Asylum (Staunton) informs us, that 348 patients were under treatment in the course of the year, of whom 45 were restored to their friends cured, and 19 died.

Of the 348 under treatment, 195 were single—97 were under 30 years of age—204 had been insane three years or more before admission, and 44 of the residue had been insane for an unascertained period!

Of the 132 cases admitted during the year, 43 only were of less than twelve months' standing, and of course 89 must be regarded as *neglected* cases, and the issue comparatively doubtful. A summary of the history of cases in this institution, shows, that the average expense of treating recent cases is \$26 18 per head, and old cases \$108 50 per head.

FUNERAL OF A DEAF MUTE.—The Staunton Spectator says:—

“One day last week the body of a female deaf mute pupil of the Virginia Institution for the Deaf and Dumb Blind, passed our office on its way to the grave. It was a novel and a touching sight. In front of the bier walked the Directory of the institution—in the rear followed the teachers and pupils of both departments, and every official connected with the establishment. We were struck with the exhibition. A band of sightless and speechless sufferers groping their way in darkness and silence to the dark and silent tomb of a departed sister! But a few years ago these stricken ones knew not the meaning of the solemn funeral procession—the shroud—the coffin and the grave. The lifeless corpse then suggested no idea of Him who laid it low, and the opening sepulchre uttered no voice of warning. But now, thanks to the munificence of our noble old commonwealth,

‘The blind can trace with fingers’ touch,
Their homeward way to heaven,’

and the deaf-mute rejoice in prospect of a loosened tongue and unstopped ears in another and a better world.”

NEW JERSEY.

INSANE.—*The New Jersey Lunatic Asylum.*—According to the Report of the Managers, the expenses of the last year were \$27,500, of which \$18,743 were paid by patients, and \$8,867 by the State. The whole number of patients received since the asylum was opened is 292, of whom 105 have been restored to society. The condition of the asylum is highly prosperous.

THE PENITENTIARY.—We regret to see some indications that this institution is knocking about in the political whirlpool. A majority and minority report of the Legislative Committee is one of the signs. The Report of the Inspectors speaks in the highest terms of the condition of the prison, and of the doings of its officers.

During the year 122 were received, 84 whites and 38 blacks; 53 married and 69 single; 8 have a good English education; 21 can read and write with facility, and are habitual readers; 31 can read and write with some difficulty, and are habitual readers; 3 can read only, but intelligibly and with ease; 30 can read only, and that unintelligibly and with difficulty; 29 can neither read nor write; 66 have no trades.

There were in the institution during the year 307 convicts—monthly average 195. Discharged 97, viz: by expiration of sentence, 82; by pardon, 10, and 5 by death. Of the 210 now confined, 175 are for the first offence. One-half are from the four counties Burlington, 17; Essex, 38; Middlesex, 21; Passaic, 28; and more than one-third are under 30 years of age, and 46 are foreigners—26 of them from Ireland. The inspectors complain of the crowded state of the prison, which makes it necessary to put two convicts in one cell, thus defeating the end of their incarceration, and increasing the facilities of vice.

The Moral Instructor’s report informs us, that the library of 900 volumes has been found exceedingly useful. Religious services have been attended every Lord’s day throughout the year.

The separate system of imprisonment is peculiarly adapted, (he says,) for imparting profitable instruction to the convict. On the congregate plan, the prisoners are occupied the entire day in their work-shops, and the only opportunity of personal access is that afforded at the cell door after the day is spent, and when the prisoner is wearied by its labors. With us, the prisoner's position renders him accessible at all hours, and with nothing to interrupt or restrain from the freest intercourse. A short cessation from his work can be taken at any time without any hindrance to the accomplishment of his daily task. All communication is private, easy, and unrestrained. The sinful and the erring cannot possibly be placed under circumstances more favorable for receiving counsel; the industrious can always secure time for abundant reading without any interference with the fullest amount of profitable labor that is required; and hence the best ground for hope that advice from the living teacher and lessons of wisdom furnished in judicious books, will leave some good impression on both intellect and heart. Certainly, if well-directed efforts for good fail of the desired end, they must fail, not for lack of opportunity to put them forth, but in spite of the favoring influences and the wise system under which, in our State, the transgressor is placed in punishment for his offence against its laws.

Respecting the reformatory effects of the system, his report speaks with commendable caution:

Since my official acquaintance with the prison, *two hundred and sixty-seven* convicts have been discharged. As yet, but ten of this number have been returned. Two we know to be in the Eastern Penitentiary of Pennsylvania. Six or eight have been in the county jails of the State for petty offences. Some, no doubt, are in other prisons of the country. But so far as we have been able to learn the history of the two hundred and sixty-seven, *less than twenty* have been known to us as guilty of renewed transgression against the laws of the land. Several we know to be industriously and honestly employed, though from far the largest proportion no tidings have been received. Now, setting aside all considerations of charity in the calculation, is there not every thing in the chapter of probabilities to lead to the conclusion, that a decided majority of discharged prisoners are following out their resolutions of amendment, and leading honest and peaceable lives? Is there not encouragement, not only for prison officers, but for all good citizens to contribute of their efforts and influence, wherever they can be extended, for reclaiming offenders and restoring them to the walks of an honest and reputable livelihood?

The Physician's report is brief but to the point. The substance of it is embraced in a single paragraph:

Five convicts have died in the prison during the past year, as you are informed by the monthly reports. Only one of these, a negro, had good health on his admission. He was sentenced for ten years, and had served half of his term, when he died of a rupture of a blood-vessel of the lungs. The other four cases were far gone with incurable diseases when they were received into the prison, and death was a consequence that might have been looked for sooner, had they been subjected to the ordinary inconveniences of their previous lives.

MARYLAND.

INSANE.—The Maryland Hospital contained during the year 1850, 173 lunatic patients, of whom 141 remained at the close of the year.

ALMSHOUSE.—The Baltimore Almshouse contained during the past year, 1,610 inmates; 845 being foreigners and 765 natives. Of the foreigners,
VOL. VI.—16

448 were Irish, 237 Germans, 45 English, and 24 Scotch. Of the natives, 54 were Pennsylvanians. 1,562 paupers were admitted during the year; 48 were born in the establishment, 754 were discharged, 210 died, leaving 629 remaining. 844 of those received during the year were intemperate!

JAIL.—Baltimore Jail received during the past year 2,242 persons under commitment, of whom 77 were runaway slaves. The blacks numbered 621, and the whites 1,621. The average number of prisoners in the jail for each month in the year, from the city was 92, and from the county nearly 8. Total average within a fraction of 100. The number of debtors imprisoned was 438 for the year.

DEATHS.—The deaths in Baltimore during the year 1850 were 4,025, being 49 more than during the previous year. 581 were of consumption, and 145 of small-pox.

MISSOURI.

INSANE.—The Missouri State Lunatic Asylum, near the town of Fulton, is in process of completion, and will be finished by the 1st of June next. The architecture is Doric, and the building brick, with a white marble front. There are eighty-eight dormitories, many of them large enough to associate together from two to four patients each; and fifty-eight rooms for other purposes, exclusive of the water-closets; and fifteen small rooms—in all one hundred and sixty-two—without counting halls and passages.

Some of the improvements of the building are such as Dr. Kirkbride, of the Pennsylvania Hospital, has so successfully introduced into the institution under his care.

IOWA.

CRIMINAL RETURNS FROM IOWA.—It is so lately that this State has come into the confederacy, that we regard with peculiar interest whatever relates to its moral and political condition. By official returns to the Legislature, it appears, that in 1849, twenty-six counties reported twenty-six convictions—1 for murder, 4 for manslaughter, assault with deadly weapons 2, larceny 3, gambling 5, obstructing roads 2, shooting domestic animals 1, assault and battery 3, threats 2, breach of the peace 3.

Of the 26 convicts 11 were bad and intemperate men, and the character of 5 was unknown; 17 can read and write, 2 cannot; and of 7 nothing is known in this respect.

Nine of the 26 were farmers, and the occupation of 5 was unknown.

In 1850, returns were only received from twenty-four counties, and there were twenty convictions—1 for bastardy, 2 suffering gaming, 2 for contempt, 1 for overthrowing a wagon, 2 for larceny, 5 for selling liquor without licence, 1 for obstructing roads, and 4 surety of the peace, 2 for contempt. In respect to occupation, 8 were farmers and 5 grocers.

INDIANA.

BLIND.—The Indiana Institute for the Blind is under the charge of W. H. Churchman, who is himself blind, and who travelled over the country a

few years ago, to secure aid in building it up. Fifty two pupils have been instructed. The expenses for 1850, were \$14,833, and the value of articles manufactured \$1,302.

STATE PRISON.—On the 30th of November last there were 142 persons in the Indiana State Prison, 35 of whom were uneducated, 25 could read only, 81 could read and write, and only 1 had a good English education; 61 were intemperate, 25 moderate drinkers, and 56 confirmed topers. Whites 128, blacks 7, mulattos 7.

DISTRICT OF COLUMBIA.

A wealthy citizen of Washington has offered \$10,000 towards the expense of a House of Refuge for that city. Three other citizens have contributed \$500 each. The sum fixed upon is \$31,000.

ILLINOIS.

INSANE.—We have received the Second Report of the Chicago Retreat for the Insane. It is a private charitable institution, and is located at a place known as the Claybourne Farm, three miles north-west of the centre of the city, where convenient, though temporary, buildings have been erected. Forty acres of land have been purchased, which is to be tastefully laid out into gardens, lawns, carriage-drives, with summer-houses and other rural adornments. The location chosen is a pleasant and healthy one, and the institution promises in a few years to be a blessing to a wide extent of country, it being the only similar one in existence in the States north and west of Indiana, if we except the State Asylum for the Insane at Jacksonville, which will probably not go into operation for a considerable time to come.

Since the opening of the institution, 101 patients have been admitted, and 80 discharged, leaving 21 now under treatment.

The price of board and treatment at the Retreat is \$4 per week.

Superintendent and physician, Edward Mead, M. D.

DEAF MUTES.—In the Illinois Deaf and Dumb Asylum, at the end of the past year, there were 95 pupils against 77 the previous year.

PAUPERISM AND CRIME.—The whole number of persons supported by the city of Chicago during the year last past, is 190, of which number, all but one were foreigners.

Two hundred persons have been convicted of crime during the year in the city, 160 being foreign citizens.

MASSACHUSETTS.

INSANE.—The Eighteenth Report from the State Lunatic Hospital at Worcester shows that 670 patients were under treatment during the year, of whom 441 were on hand December 31. Of these, 180, (nearly half,) are

State paupers, (*i. e.* persons who have no legal settlement in any town within the State,) and 169 were foreigners! The largest number of patients which the establishment is fitted to receive is 375; and the average number of patients through the year was 440. The charge for patients is \$2 25 per week.

In the eighteen years of its existence this hospital has received 3,598 patients, of whom 366 have died—1,691 have been dismissed recovered. Of the whole number, 1,153 have been private boarders, and the rest were sent by courts. The annual expenses apportioned upon the patients, would give \$118 75 per head. The total expenses of last year were \$46,776 13, which is \$106 40 per patient. Of 229 discharges in the year, 125 were cured, and 57 deaths occurred.

We are surprised to notice the large number of insane in some of the county gaols or houses of correction, in this State; 72 are returned as confined in Essex county, and 43 in Middlesex.

JAILS AND HOUSES OF CORRECTION.—The return of prisoners from these institutions for the year, gives a total of 10,661, of whom it appears that only 2,401, or considerably less than one in four, are or have been married! And what is equally worthy of remark, 1,546, or about one in seven, were natives of the State. Of the 10,661, nearly one-eighth were minors; 535 were colored, and 3,535 could not read and write.

The total expense of the establishments for the year was \$102,271, or about \$166 per head; and the value of the labor of the prisoners was \$22,312. In some of the counties we see the expense per head was \$200. The habits of nine-tenths of the persons committed were intemperate. The crimes committed were larceny, 1,600; assault, 1,135; vagrancy, 245; burglary, 191; adultery and lewdness, 292; brothel keeping, 86; forgery, 24; counterfeiting, 243; murder, 15; arson, 25; highway robbery, 19; rape, 6; perjury, 1; other crimes, 1,757.

PAUPERISM.—During the year 1850, the number of persons relieved or supported as paupers in the State of Massachusetts, was 29,981, of whom 16,058 were "State paupers." Of the former 12,334 were foreigners, 10,816 of them being from England and Ireland. The number of foreign paupers who came into the commonwealth during the year, was 1,891. The State Auditor says:

"The support of the State paupers, (mostly foreign,) in our almshouses and lunatic asylums, is one of the heaviest burthens upon the revenue, and increases year by year. The accounts lodged in the Secretary's office, within the time prescribed by law, amount to \$108,000; which is more by \$3000, than for the last year, for the same class. Of this sum, nearly 42,000 is for lunatics, who are supported at an expense of not less than \$100 per annum; and about \$3,800 for ship-fever paupers, at from \$3 to \$4 per week. The remainder is for ordinary State paupers, at seven cents per day for adults, and four cents for children."

"I regret to say, that I believe the commonwealth is grossly imposed upon by vast numbers of foreign paupers, who come into the State over various railroads, and particularly from New York, where so many first land."

STATE REFORM SCHOOL.—The Fourth Annual Report states, that the expenses for the year have been \$31,819 58, which exceeds the available amount in the treasury by \$4,709 38. This deficiency is caused by the crowded state of the school, and extra expenses necessary upon the buildings, &c.

From the report of the superintendent we gather many interesting details:

The school has been very full, having at no time less than 300 boys, and most of the time a much greater number. Many applications for admission have been rejected. 108 boys have been admitted during the year, and 94 discharged. There were remaining in the institution on the 30th of November last, 324 boys. The average number during the year was 309. Only one boy has been returned to the school for bad conduct since its commencement. Of the 43 apprenticed the last year, 20 were to farmers. The principal causes of commitment during the year—were larceny 51 and stubbornness 47. Of the 440 who have been committed to the school since its establishment, 77 were natives of foreign countries, and 363 natives of the United States; of the latter number, 108 were of Irish parentage, 5 of English, and 240 of American.

BIRTHS AND DEATHS IN BOSTON.—Last year there were in Boston 5,279 births, being 211 more than the previous year. The deaths numbered 3,667, or 1 in 38 of the population. The previous year there were 1 in 26.

BOSTON LUNATIC HOSPITAL.—This institution still remains under Dr. STEDMAN's care; and the present report is very creditable to his management. The admissions last year were 73, 27 males, 46 females; and the discharges 72, of which 37 were recoveries. The whole number under care during the year was 276, and the deaths were 25—11 from dysentery. The annual average of admissions for the eleven years is 62.

The Boston Hospital is a pauper establishment, and the inmates are chiefly foreigners—a large majority from Ireland. They are for the most part very unpromising subjects of curative treatment. Dr. S. thinks, of 204 patients in the hospital, at the date of his report, not more than six will probably ever be restored to reason.

It appears that the hospital is designed for 120 in each wing, and that during the last year there were 169 females and 107 males to be provided for; of course the female galleries are very inconveniently crowded. Dr. Stedman very properly suggests the importance of employing a night watchman, chiefly to guard against danger from fire.

We should have been glad if the expense per head of the inmates of the hospital had been given. We like to know how economically our Yankee friends can maintain such institutions.

RHODE ISLAND.

RHODE ISLAND.—The number of Irish in the State is 16,733, and of other foreigners 7,127. The blacks number 3,170; the idiots 108; deaf and dumb, 68; insane, 238; blind, 55; paupers, 3,744; persons unable to read or write, 3,744; children attending school, 28,331; farms, 5,512; value of real estate, \$543,619 48; of personal estate, \$264,581 66.

NEW YORK.

BLIND.—The present number of inmates in the New York Institution for the Blind, is 144,—94 are maintained by New York, 4 by New Jersey, 2 by the Commissioners of Emigration, and 5 by their friends. The receipts during the year, were \$36,497; expenditures \$36,285.

DEAF AND DUMB.—The number of pupils is 227, a larger number than at any former period, and a larger number than in any school of the kind in the country.

The charge is \$130 per head. Of the 227, 160 are beneficiaries of the State of New York, 16 of the city of New York and 13 of New Jersey; 24 are supported in whole or in part by friends, and 14 gratuitously by the institution: showing that it is, in the largest sense, a *public charity*.

HOUSE OF REFUGE.—The whole number of children received into the House of Refuge since its opening, 1825, is 5046. The number received during the past year was 444, which, with 338 remaining on the first of January, 1850, make a total of 782. Of these, 371 were discharged and otherwise disposed of, leaving 411 delinquents in the House on the first of January last, as follows:—White boys, 3117; white girls, 65; colored boys, 20; colored girls, 9.

INSANE.—The number of lunatics in the Asylum at Utica, November 30th, was 429; admitted during the year 367, of whom 171 were cured; discharged 336, and died 51. Whole number of patients admitted from the 16th January, 1843, when the asylum was opened, to 30th of November, 1850, is 2,743, of whom 1,288 have been discharged recovered.

IDIOTS.—The governor urges the establishment of a school for idiots.

CRIME IN NEW YORK CITY.—The report of the Chief of Police in New York, states, that during the past year there have been 8,322 arrests made in that city. The average police force on duty has been 337.

MORTALITY IN NEW YORK.—The deaths since 1845, according to the annual returns, including the still-born and premature, give, for the respective years, 10,851, 11,076, 15,499, 15,919, 23,775, and 16,954 deaths. The total number of deaths from 1805 to 1850, inclusive, being forty-six years, is 276,249; including still-born and premature, (19,190,) it is 295,639. The ratio of deaths to population, is for 1805-1809, 1 to 32.99; 1810-14, 1 to 46.49; 1815-19, 1 to 41.83; 1820-24, 1 to 37.19; 1825-28, 1 to 34.78; 1830-34, 1 to 38.97; 1835-39, 1 to 10.37; 1840-44, 1 to 37.55; 1845-49, 1 to 33.55.

STATE PRISONS.—The number of State convicts at the beginning and close of the year, ending December 1st, 1850, is as follows:

	No. Dec. 1, 1849.	Rec'd.	Disch'd.*	Remain.
Sing Sing, males, . . .	672	228	206	694
Do. females, . . .	78	29	36	71
Auburn,	609	304	181	732
Clinton,	124	39	49	114
Total,	1483	600	473	1811

Showing, that while there are 17 fewer convicts in the Clinton and the female prisons than the previous year, there is an increase of 123 at Auburn, and 22 at the male prison at Sing Sing. By examining the convictions of the past year, and comparing them with the population of the several counties, it appears that in New York they amount to 1 in 2,320; in Albany, 1 in 2,414; Erie, 1 in 1,120; Kings, 1 in 3,934; Rensselaer, 1 in 4,795; Ot-

Essex, 1 in 10,101; Dutchess, 1 in 18,374; Suffolk, 1 in 34,579, and Delaware, 1 in 36,990.

Showing that the rural and agricultural districts are much more exempt from crime, in proportion to their population, than the densely populated districts.

The number of convicts received at the different prisons during the year, was 600; 508 males and 27 females, on their first conviction; 54 males and 2 females on their second; 7 males on their third, and 2 on their fourth. The entire number of discharges was 472, of which 352 were by expiration of term, 9 by escape, 45 by pardon, 17 by transfer to other prisons, 10 sent to the Lunatic Asylum, 3 by accident and 30 by death. The term of sentence of 720 convicts, the whole number confined in the Auburn Prison, (exclusive of 12 who are sentenced for life,) average a little over four years and nine months. Of these, 449 are confined from two to five years; 175 from five to ten years, and 96 from ten to twenty-two years. The aggregate term of sentence of all the State convicts, (exclusive of 27 doomed to imprisonment for life,) amounts to 8,220 years. The inspectors believe that protracted incarceration destroys the better faculties of the soul, and, by impairing the energies of both body and mind, unfit a man for that moral effort which alone can restore him to society, and deem it worthy of inquiry, whether the great ends of punishment may not be better secured by shorter terms of sentence.

We are glad to notice a reference to this important point, to which we have frequently called the attention of the readers of this Journal. We scarcely know of a more important subject connected with prison discipline. We have no doubt that one of the most important and salutary changes in our criminal code, will consist in a general and very large reduction of the terms of imprisonment for the mass of offences.

AGES, HABITS AND SOCIAL RELATIONS OF CONVICTS.—Examinations into the causes of crime invariably lead to the same result, and force upon the mind the threadbare truth, that a neglected education in youth is the source of most of the crime among us. Of 732 convicts at Auburn, 517 were never instructed in any trade or calling, whereby to earn a subsistence; 308 had been deprived of a home before sixteen years of age; 191 were deprived of one, and 181 of both parents before sixteen years of age; 185 were intoxicated at the time of committing the offence; 304 were without occupation at the time of the arrest; 371 were intemperate; 468 had received no religious or moral instruction; and 512 had never read the Bible or attended Divine service. Of the 694 males in Sing Sing, 349 were under twenty years of age at the time of conviction; 487 had never been taught a trade; 60 could not read; 149 could read only, and that indifferently; and 230 were intemperate. Of the 114 convicts at Clinton, 10 could not read, and 29 could read only; while two-thirds of the whole number admitted their intemperance. Of the 71 in the female prison, 25 could neither read nor write; 17 could read only, and the balance had received but a very limited instruction in the elementary branches; nearly two-thirds of the whole were intemperate, and for the most part dissolute in their habits in early life; 11 were under twenty at the time of their conviction, and but 28 were natives of the United States.

The inspectors call the attention of the Legislature to the importance of imparting to each convict under thirty years of age, a knowledge of some mechanical trade.

RECEIPTS AND EXPENSES.—Although we place little reliance upon this item in most of our prison documents, especially where the institutions are

subject to powerful political influences, we give them as we find them, for what they are worth.

	Receipts.	Expenses.	On hand Sept. 30.
Auburn	\$79,573 11	\$71,164 07	\$8,409 04
Sing Sing, . . .	99,539 70	95,828 64	3,711 06
Clinton,	37,567 55	37,693 97	deficit 126 42

The earnings of the prisoners and the cost of their support are as follows :

	Earnings.	Expenditure.	Excess.	Deficient.
Auburn,	\$68,483 75	\$56,165 87	\$12,317 88	_____
Sing Sing, male,	72,521 08	65,884 86	6,636 22	
Do. female,	3,165 13	10,930 50	_____	\$7,765 37
Clinton,	21,851 95	25,444 96	_____	3,593 01

At Auburn during the year ending September, 1850, the average amount of earnings of each convict was \$103 62, and average expense \$96 33. At Sing Sing, in the male prison, the average earnings per convict was \$104 49, and the average expense \$94 52; in the female prison, the earnings of each convict were \$40 57.

There are several topics of this Report which deserve attention, and of which we hope to treat in a future number.

EMIGRANTS.—The number of passengers who arrived at New York during the last month, was 9,512, being a decrease from the previous month of 6,498. They were from the following countries:—British ports, 7,280; France, 485; Belgium, 358; Holland 188; Hamburg, 99; Chagres, 1,055; other ports 47. The city authorities have rented for three years, at a charge of \$1500 per annum, an extensive building in Canal street, for the accommodation of the large number of emigrants who crowd the streets. The lower part is to be occupied as an intelligence office in connection with the Commissioners of Emigration, where emigrants obtain information gratuitously as to situations as servants, &c. There is a dormitory for emigrants out of employ, a bath room for their use, and the building is freely ventilated. It is a vast and much needed improvement.

NEW YORK PRISON ASSOCIATION.—The sixth Anniversary of this Society was held a few weeks since. The Report is not yet published. We learn, however, that the receipts of the year were stated to be \$3,940 15, including a legacy of \$2,000 from Miss Demitt. Addresses were made by Mr. Cochrane, and Judge Edmonds. “The remarks of the former gentleman,” says a contemporary, “involved the difficult question of Prison Discipline, as to the separate or congregated systems. He warmly approved the separate plan. It was stated that 148 discharged female convicts had been received at the ‘Home’ of the Association, for 57 of whom situations had been procured; 9 had been restored to their friends; 36 gone back to evil courses. Of those placed in good situations, good reports had been heard from 44. The advantages of this Home have been abundantly proved by its brief history. Probably all the discharged convicts would revert to their evil courses, but for its salutary influence. ‘To raise the wretched’ is certainly a noble office of charity, which should be encouraged, and which, if successful, even to a moderate degree, is worth more than it costs.”

Our readers will notice that we have again given them an extra form of sixteen pages.

JULY, 1851.

19164
VOL. VI.—NO. III.
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ART. I.—THE NEW LAW RELATING TO COUNTY PRISONS IN  
PENNSYLVANIA.

OUR readers cannot have overlooked the prominence given in former numbers of this Journal, to the subject of county jails. Believing, as we do, that in the wisest mode of erecting a penitentiary system for a State, the first care must be bestowed upon the houses for the detention of the accused, and of persons sentenced for minor offences, we have availed ourselves of every proper occasion to exhibit, in their true relationship, institutions of so important a character. By frequent reference to their influences, their history at home and abroad, and the difficulties and efforts, as well as the neglects and omissions which have marked their slow progress in Pennsylvania; and also by special expositions of the principal reasons for their better development; we have sought to keep the subject of their reform fresh in the minds of our readers, and thereby, at least, to aid the formation of a sound public opinion, and the encouragement of a general desire for improvement.

Recent examples of bad construction in circumstances which, at first view, appeared to authorize an expectation of judicious measures, induced the Acting Committee of the Philadelphia Society to renew to the Legislature their representations of the need of continual supervision on the part of the government of the State; and to ask that some more peremptory expression of the policy and general design of the government should be made than had been before incorporated with our laws. A committee charged with the subject attended at the capitol, and made to the Judiciary Committee of each House the explanations which were thought fitting on the

part of the Society. A favorable report was made to both Houses; and in a few days a bill was enacted, of which we subjoin a copy.

It will be observed that the provisions of the bill are very general; that there is no attempt to prescribe minute details, either of construction or of management; that the old policy of the government is re-declared; future construction is directed to be in conformity with the rule of separation; and before the erection of any county jail, the local authorities are required to submit their plan to the inspection of the Secretary of the Commonwealth, and to obtain his signature of approval thereupon; and also to deposit in the Secretary's office a copy of the plan, attested by his signature.

It is obvious that a long time must elapse before uniformity can be secured amongst the local prisons. In some of the counties, jails have been recently built upon plans not adapted to the discipline of the State penitentiaries; in other counties, where the jails are of older date, there is no prospect of early reconstruction. Hence, the legislation obtained by the Society is very far from completely satisfying their wishes. Yet, inasmuch as it tends to prevent the multiplication of the sources of existing evils, it must be regarded as a remedial measure.

Heretofore there has been no concert of action amongst the County Commissioners (who control the erection of prisons in Pennsylvania); unless we may so designate that similarity of procedure which results from an adherence to an old type, by men of equal information, residing in different places, and acting without intercommunication. The reference which all of them are now required to make to the seat of general government, will, it is hoped, lead to a conformity of opinions and plans more in harmony with our penal jurisprudence.

One good effect expected from the new law, is the collection at the capitol, of information respecting the material condition of our prison system. Four years ago, on the application of the Philadelphia Society, an Act of Assembly was passed, requiring annual returns from the counties; a copy of which act was given to our readers in the third volume of this Journal. Through the indifference of local officers, and the inattention of the officers of State, and of the Legislature, the returns con-

templated have not been made. There is now provided a mode by which may be gradually accumulated a series of plans, illustrative of the prison architecture of the State. If the enactments of 1847 and 1851 should be hereafter carried out in good faith, the government would be relieved from the discreditable position which it now occupies—that of being ignorant of the condition of one of its principal departments.

Much, doubtless, will depend upon the manner in which the Secretary of the Commonwealth shall execute the important share of duty confided to him. By rigidly exacting a compliance with the rule of separation, and, at the same time, a due regard to the hygienic conditions of prison architecture, he may influence, fundamentally, the character of future plans; but he may do much more than enforce the letter of the new law. By entering heartily into the great work of penitentiary reform, he may contribute to the enlightenment of the local authorities, and to the diffusion of zeal for further progress; and, with the influence of his official position, he may maintain, in connection with all of the chief departments of the government, a spirit friendly to seasonable movements.

The bill just passed met with decided favor amongst the leading members of the Legislature; but the subject is not one which attracts the attention of the community at large; and, in its first operation, it may even excite some opposition by the novel course of proceeding which it prescribes to local officers, and by its preventing the carrying out of their accustomed views. The efforts of the Secretary of the Commonwealth to smooth the way towards a friendly reception and execution of the law, would, therefore, be particularly desirable. On the other hand, apathy on his part must not only close to us the hope of easy progress, but have a tendency to encourage dissatisfaction, and, perhaps, hostility in some places. We have no reason to doubt that the gentleman now at the head of the department of State will cheerfully comply with the additional duty with which he is charged. On the contrary, we have every proper assurance of his readiness to undertake its performance. These remarks are made only that it may appear how far we are to look to the executive branch of the govern-

ment for the means of success in this attempt to centralize the influences designed to bear upon our object.

As the Society does not regard its duty, in respect to this subject, as completely fulfilled by what has been done, we shall have future occasion to recur to it; and we trust to record evidences of further successful interposition with the Legislature.

“Whereas, it has long been the policy of this government to combine the separation of convicts, one from another, with instruction and suitable manual labor, as the best means of discipline and reformation: And, whereas, it is necessary to the equality of penal justice that the administration of the County Prisons shall be uniform, as has been heretofore declared: *Therefore, be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same:*

“That every County Prison which shall be hereafter erected within the jurisdiction of this government shall be so constructed that every person committed thereto, whether upon conviction or otherwise, may be confined separate and apart from every other person committed thereto—due regard being had, in the plan of construction, to the health of the persons to be so confined; and that, before any County Prison shall be erected, within the jurisdiction aforesaid, the plan of construction of such prison, drawn sufficiently in detail for the clear comprehension thereof, shall be submitted by the Commissioners of the County in which the same is to be built, to the Secretary of the Commonwealth; and shall be inspected and approved by him, and so certified by him, upon the plan; a copy of which shall be furnished by the Commissioners aforesaid, at the time of their submitting the original, as aforesaid, and shall be signed by the said Secretary, and be filed and remain in his office.”

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**ART. II.—ASYLUM FOR VAGRANTS, DRUNKARDS, AND DISORDERLY PERSONS.—*Report to Massachusetts Legislature respecting an Asylum for Confirmed Inebriates.***

“I believe there is nothing worse than the fluctuating population that is oscillating between a prison and a workhouse.”—Charles Pearson, *M. P. Parliamentary Report*, 1850, p. 517.

It requires no new evidence or arguments to convince any observing citizen that a large class of persons exists in the community whose case is not met by the present provisions of law or charity. Most of them may be embraced by the terms drunkards, vagrants and disorderly persons. Sometimes they are found, for short periods, in the county prison; then they are regular customers of a soup society. Now we hear of them at the almshouse, and anon in the prison again. These various places

of residence seem to have nearly equal attractions for them, and they probably find the variety agreeable. Their offences are seldom grave enough to justify a long term of imprisonment; and their destitution seems to warrant their claim to public relief in the almshouse. And yet it is doubtless true, that nine-tenths of them are as competent to support themselves honestly and comfortably as are nine-tenths of the community at large.

In devising methods of meeting such an exigency it is desirable to avoid, as far as possible, the risk of a failure. For it must be remembered that an abortive attempt to do good in one form, weakens and discourages efforts to do good in other forms.

The inquiry has frequently been raised, whether an institution might not be established, partaking partly of the nature of a prison and partly of the nature of an almshouse, where the filthy body can be cleansed, its diseases healed, vile and intemperate habits corrected, and the physical powers of the inmates employed in securing in part or wholly the means of their own sustenance. Any suggestion that has so benevolent an intent deserves serious consideration—much more than we have time or space to give it—but we venture to suggest a few thoughts which have occurred to us in looking at the embryo project.

And first, as to the classes to be provided for. Is it not possible that they are too diverse in character and necessities to admit of a common treatment, or even of a common residence? What is the usual character of drunkards? Until they have reached quite an advanced stage of degradation they have faculties—both mental and bodily—far superior to the generality of vagrants. Vagrants, who have the means, seldom fail to indulge in strong drink; but drunkards are not always disposed to habits of vagrancy. Drunkards and disorderly persons are much more properly associated together than either of them with vagrants. They are much more competent to do profitable kinds of labour. They have skill and ingenuity, which can be put to good account. But a large proportion of vagrants resort to vagrancy because they have neither heart, head nor hands to provide for themselves. Vagrancy is a permanent manner of life. Drunkards and disorderly persons are, for the

most part, such by fits, with intervals of days and weeks of sober and orderly habits. Disorderly persons are regarded as much more criminal than drunkards or vagrants. They manifest a more deliberate hostility to the interests of society, and cannot plead the same natural propensities to the course of life they lead.

Secondly, as to the method of providing for them. Disorderly persons certainly deserve some degree of penitentiary discipline. Vagrants need to be goaded to exertion, by feeling the force of hunger. Drunkards must be weaned from their cups by prevention of the opportunity to use them ; and the three classes must have full employment suited to their capacity and powers.

The first thing for all, however, is RESTRAINT. There must be authority by law to arrest the vagrant, the drunkard, and the disorderly person, and confine them within four walls, and detain them, as prisoners, for a sufficient length of time to accomplish the objects of their arrest. Discipline of any sort will be irksome to a disorderly person—nothing is so distasteful to a vagrant as to be compelled to labour, and that restraint must be very severe which a drunkard will not overleap to indulge his appetite. Seeing, then, that no valuable end will be answered by an arrest of any of them, unless they can be detained in close custody long enough to effect a material change of their habits, it becomes a question whether the necessary legislation can be secured. Can a law be passed, the provisions of which so evidently contemplate *criminality* as an element of drunkenness and vagrancy ? Will it not be argued that a detention of a year or two for such offences is altogether disproportioned to their turpitude ? Will it not be indignantly asked whether vagrants and drunkards are to be treated as burglars and horse-thieves ?

That the welfare of the community and the ultimate good of the delinquents require that the power to restrain and employ them should be lodged somewhere, there can be no doubt. A man has no more right to be a drunkard or an idler than he has to be a thief. Indeed, every one who has ability to earn his own livelihood, and yet neglects to contribute his share to the burdens of the community in which he lives, or declines to do it, is actually guilty of robbery. The bread he eats is not his—it is earned by the sweat of another's brow—and society has an unquestionable right to enforce its claims upon him.

But when any abridgment of the liberty of the citizen is suggested, though it may be that he is degraded beneath the conception of liberty, jealousy is awakened and a vigilant eye is fixed on the movement. Rather than interfere with liberty disorderly conduct is tolerated—vagrancy is regarded as a necessary evil, and drunkenness as an infirmity, rather to be pitied than remedied. We hope, therefore, those who are interested in the contemplated provision for the miserable population that fluctuates between the prison and the poorhouse, will be careful to place it on such a foundation as will enable them to avoid the evils of which they complain, without losing any of the advantages they now possess.

In connection with this subject we notice the report of a Joint Committee of the Legislature of Massachusetts, made January 15, 1851, upon "the expediency of establishing an Asylum for persons supposed to be confirmed inebriates, *with a view to the total abrogation of all laws punishing intemperance as a crime.*"

Most of our readers are aware, that philanthropic minds have been much turned to this subject. In Pennsylvania repeated efforts have been made to awaken public interest in it, and expensive means have been employed to diffuse information; but thus far with little apparent advantage. The ground assumed in the report to the Massachusetts Legislature is new. The existing laws, we all know, regard drunkenness as a crime, punishable by fine and imprisonment. This notion is to be dismissed.

"Within a few years past," says the Report, "doubts have arisen in the minds of many persons of great intelligence, and having extensive opportunities for observation, whether this course has been consistent with sound and philosophical views of the nature of the evil, the best interests of the unfortunate inebriate or the general welfare of the community.

Such doubts have produced inquiries and investigations, and these have resulted in the settled conviction, in the minds of many, that the policy hitherto pursued with regard to the habitually intemperate, is neither consistent with reason or justice; that intemperance is a physical evil, a disease, as truly as insanity, and, like insanity, deserving of commiseration and susceptible of cure."

Among the points which the committee regard as settled are these :

(1) That intemperance, habitual intemperance, is a disease, and ought to be regarded and treated as such. (2) That the number of persons who would

be fit subjects for such treatment is very large, and will continue to be so, according to all present prospects, for a long period to come. (3) That at present, there is no place whatever, provided by the State, or individual enterprise, where this class of people can be received, and placed under restraint, except our prisons and houses of correction. (4) That all experience has shown, that incarceration among felons, for the alleged crime of drunkenness, has almost uniformly been found highly prejudicial to the inebriate, destroying his self-respect, and seldom resulting in his reformation: a continued succession of recommendations being the general history of such cases. (5) That such an institution might be made, to a great extent, if not wholly, a self-supporting one. (6) That, in many cases, friends would be able and willing, to pay for board and attendance, while, in other cases, such employment might be afforded as would enable the invalid not only to support himself, but earn something more for his own benefit. (7) That a just and enlightened regard to economy, demands such an asylum, since it would be the means of restoring multitudes to health and soundness, and of fitting them for productive employments, who are at present, and would otherwise remain a charge upon their friends and the public.

In support of these views, copious extracts are made from the late Dr. Woodward's Essays on the subject, and, indeed, the report might, not inappropriately, be entitled, "Extracts from the published Essays of the late Dr. Woodward, respecting the treatment and cure of Inebriates, with a brief introduction and conclusion, by a Committee of the Legislature."

We cannot but regret the absence from the report, of any facts which would go to show the extent and character of the desired provision—such as the number of inebriates who would be regarded as proper inmates of such an asylum—the probable extent to which they would contribute to their own support—what plan of classification and employment would be practicable\*—what methods of restraint would be proposed—the prevalent causes of inebriation, and how they can be diminished; and, last, though not least, the precise grounds on which the views of the criminality of drunkenness, which have hitherto been held, are condemned as unsound and unphilosophical. If an investigation of facts should show that a large proportion of inebriates, who should be willing to subject themselves to the treatment of an asylum are so shattered in mind and diseased in body as to forbid the recovery of their powers for any useful or self-supporting purpose, it would materially influence public opinion respecting the expediency of such an institution. Or, if it should appear that a majority of inebriates

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\* Dr. Woodward's Essays contain some very general suggestions on these points, but something much more specific is demanded to answer practical purposes.

were nothing more nor less than paupers, already dependent on public or private charity for their daily subsistence, it might suffice to modify the construction of county or town alms-houses so as to increase their restraining and reforming power. Or should it turn out that a majority of those for whom the new asylum is to be provided have abundant means of supporting themselves, one might think a private institution might suffice—at least for an experiment.

Hospitals for the sick and wounded, and the disabled, are resorted to with gladness, under the pressure of pain, suffering, want and danger. Asylums for the insane have to do with those whose powers of reasoning are so far impaired as to render them incapable of judging of their condition, or of weighing the motives or considerations that would be likely to influence a sound mind. Hence they are subjected to such needful restraint and personal superintendence as their circumstances require. We need not say how different it is with the inebriate. Except when the fit is on him—rendering him, for the time being, a fool or a madman—he is as capable of self-government as the best of his neighbors. To drink or not to drink is equally within his power. He is indeed conscious, much of the time, of a strong desire for the intoxicating cup, but it is a desire no stronger nor more uncontrollable than that which other men have for other sensual gratifications. May we not say that there are other and quite as natural desires for the gratification of which men will hazard far more than the inebriate does, but which, nevertheless, they are expected to restrain or take the fearful consequences?

We are far from calling in question the opinion that the appetite for strong drink is oftentimes the result of a diseased state of the system, or that this diseased appetite, when excited, may be sufficiently strong to overpower all moral and prudential considerations, and, for the time, transform a rational being into a madman or a brute. But are we safe in assuming, that at no stage of his progress towards this helpless and almost hopeless bondage to his cups, the unhappy man was not an offender against wholesome laws, and a proper subject of penal suffering? His industrious and frugal neighbor was busy on his farm or in his shop, when it would have been very pleasant to

have lounged at the grocery, or shared in the political gossip of the village inn. Our wretched inebriate was equally free to choose his place and his company, and he preferred to forsake his home and his business, and to spend his days and most of his nights in idleness and in the free indulgence of his appetite. Would it have been considered proper or practicable, at that period of his career, to have put such a man into a hospital for inebriates?

His habits are well known. His family are aware of the sad change which has come upon him, and already begin to suffer shame and anxiety, if not want, because of it. He is warned, urged, entreated to put aside his cups and betake himself to his business; and he is as competent to do it as is his neighbor—who rises early and works late, and eats the bread of carefulness—is to refrain altogether from the intoxicating draught. Is there nothing criminal and worthy of punishment in thus wantonly trampling on all social duties and obligations, and involving the innocent and helpless in suffering? Has society no right to protect itself against the consequences of his folly, and to compel him, by force of penal suffering, to fulfil his obligations to his family and the community?

Frequent indulgence soon becomes a fixed habit, and, in due time, a morbid, insatiable desire for strong drink seizes the wretched toper, and he spurns all restraint and loses all regard for appearances and consequences. The proposition is now made with more show of necessity certainly, to place him in an asylum and treat him as a helpless invalid. His wife and children have no such comfortable quarters, however, though they are innocent and unredressed victims of his brutal career. A public tax is laid to build and maintain the inebriate's home, and the earnings of the industrious farmer or mechanic, who resisted the temptation to the ale-house or the grog-shop, must contribute to it! Can it be a sane or philosophical view which attributes no guilt to such a man, or which at no stage of his progress to his present forlorn condition holds him responsible under penal infliction, for his disregard to all social duties and obligations?

Nothing is further from our view than to discourage or disapprove of the scheme of a hospital for confirmed inebriates.

It is a laudable and benevolent project, and we wish it all success. Our present inquiry is, how far it will be possible to secure such legislation as is needed to compel drunkards, vagrants and disorderly persons to labor in a workhouse. If drunkenness is not considered criminal, in the same sense in which vagrancy and disorder are, it is not to be treated as such. Our clear conviction is, however, that drunkenness is as truly a crime as theft or robbery, and that the offender is as proper a subject of penal suffering, by order of law, as a thief or a robber.

We are aware that drunkenness has not the same degree of turpitude in the estimation of mankind, nor have some other offences, which really involve far more mischief, and indicate far more corruption of moral feeling and base selfishness than any violation of the rights of property. Indeed, if we do not entirely misapprehend Dr. Woodward's views, they cannot be reconciled with any other theory. All his modes of expression involve the idea of choice and responsibility, which cannot be predicated of bodily disease or insanity. For example, he says: "Take the youth by the hand who has unfortunately commenced the career of the drunkard, place him in seclusion, out of the reach of his temptations, and out of the way of all indulgence,—show him kindly, but candidly, the danger of his practice, and the inevitable ruin that it will bring upon him; point out to him the road to honor, respectability, and usefulness; furnish him with employment and amusements, means of information, and you bring him back within the range of *moral principle*, and under the influence of *reason*." Do we ever employ such language as this in respect to the method of recovering a lunatic or a paralytic? Is there any thing more or less than an exhibition of moral motives to influence a moral agent? And is any thing more clearly indicative of criminality than a total disregard to such motives?

Again: "Intemperance and intoxication bring more physical distress than theft and lying; of course, the habit once cured would be less likely to return. Besides, the motive is less operative, that should induce the recommencement of the practice after the appetite is once removed." Can the return of a disease be dependent on a motive? "But *intemperance* is not

merely a vicious habit of the nature of these vices, while intoxication bears a very near resemblance to them. Intemperance is a *physical evil*, and, if thoroughly eradicated, will be no more likely to return than other diseases." If other diseases do return, however, after they are supposed to be thoroughly eradicated, we do not regard their return as in any sense involving a moral act, but Dr. W. says, in the very next paragraph, "The recommencement of the practice of drinking will be a *moral act*, original in its character, having no connection with this former habit."

Again :

Imprudence and thoughtlessness lead to many of the evils to which life is incident, and the class of men who have been led into intemperance are often peculiarly obnoxious to them. Often generous, unsuspicious, social and hospitable, their very nature is not unfrequently the foundation of all their woes; they yield readily to enticement, not so much from a propensity to evil, as from a want of firmness to resist temptation,—not so much to gratify themselves as to oblige others. How often is it said of the victim of intemperance, "He was the finest young man in the neighborhood,—intelligent, kind, and generous. His social feelings led him into company, his generous disposition made him to be hospitable, when hospitality was manifested by the flowing bowl and social glass, of which he partook freely and was ruined."

Might not all this be said with equal truth of the man who is enticed into a billiard-room or a lottery-office or a brothel, and who is finally led to the most atrocious crimes—theft, forgery and murder—to support or conceal his guilty career? Resistance to temptation is the test of moral virtue, not of bodily health.

Dr. W. suggests one distinction which may, perhaps, relieve us of all embarrassment: "I repeat, then, what I have before remarked—*moderate drinking* and *intoxication* are criminal. Intemperance is disease." Now, if the law will allow us to put the moderate drinker and the intoxicated man into a well regulated work-house, and keep him there at hard work and on low diet till there is good reason to believe he will refrain from such practices, we shall be fully prepared to provide a suitable hospital for all who are left under the power of the "disease of intemperance." We do not say that such a law would be wise, nor that, if enacted, it could be executed; but we are clear that if, by any means, moderate drinkers and in-

toxicated men could be properly provided for, the "disease" of intemperance would be as rare as it is now common.

Dr. W. thus describes a case which occurred in his own practice :

The man was a mechanic, and, by his industry, he had accumulated property ; he had a virtuous wife and numerous family ; he became intemperate, and, by means of it, poor, idle, profane, a gamester, a Sabbath-breaker, a frequenter of houses of dissipation ;—he ridiculed all sacred things, and especially vented his spleen on temperance men and temperance societies. He was pursuing, with rapid strides, the downward course to the drunkard's grave ; but Providence had reserved for him a better fate. He attended a temperance lecture, as he declared, to find matter of ridicule for a "fortnight to come." His attention was arrested ; his likeness was so well drawn that his conscience acknowledged the truth of the picture, and applied it to his heart. He went home serious and sober-minded ; his night was sleepless ; the horror of intemperance, with all its disastrous evils and consequences, was constantly on his mind. He resolved on reformation ; he informed his wife of his resolutions ; she encouraged him in his efforts, and he broke off his habits. A season of sobriety led him to reflect upon the enormity of his sins and the baseness of his character ; he saw that all was wrong ; his repentance was deep and thorough ; his whole character was transformed. Instead of the bar-room and the gaming-table, he frequented the church ; instead of the company of drunkards and revilers, he sought respectable society, moral instruction, and religious teaching ; instead of blasphemous oaths and imprecations issuing from his mouth, the humble Christian prayer ascended to heaven, morning and evening. His family were made happy ; the woe-worn companion of his life was rendered cheerful, and took courage ; his own health was established, his estate redeemed from mortgages, and his heart, ever grateful to him who awakened his fears, and to his Heavenly Father, who carried the arrows of conviction to his heart, poured forth daily thanksgiving.

What would be thought of such a narrative to show how a man shook off a fever, or dismissed the notion that he was made of glass, and that the least jar or touch would break him all in pieces !

It may be questioned whether any motives to abstain from intoxicating drinks could be suggested in a hospital which the inebriate has not repeatedly resisted. It is said that what he needs is to be taken into a well-conducted asylum, where every comfort may be offered to him,—"fire to warm his benumbed limbs, clothes to cover his naked body, savory food to sustain and tranquilize his sinking, debilitated stomach, cordials to calm the agitation of his nervous system ; and, above all, kindness, gentleness, benevolence, beaming from surrounding countenances, and yielding all the aid which his debased and agonizing condition of mind and feelings require. Will he not

respond, and will he not be grateful?" Go, for an answer, to his once happy and cheerful dwelling—to the faithful but broken-hearted wife that he took from the home of her childhood, under a solemn vow to love and cherish her, and see what kindness and sympathy and gentleness, beaming from countenances that bear his own image, he has spurned, and to what agony and debasement he has doomed his family, for the selfish gratification of appetite. And what is proposed as the grand protection against a return of the malady upon the poor sufferer when he leaves the hospital?

*Total abstinence* must be engraven on every door post, and placed in bold relief on every prominent object before him. This must be the all-pervading principle of the establishment; *total abstinence from all alcoholic or vinous potations*. He must be taught, that if others can indulge, *he cannot*; there is but one *true* and *living* way for him, and this is *total abstinence* from every thing whatever that can intoxicate. Satisfy him that this is the only safe principle,—that this will again lead him to honor and respectability amongst men, (and it will commend itself to his own reason and conscience)—that the least deviation from it will again plunge him into all his former suffering and wretchedness—that he cannot take one step in this enticing and dangerous road, without being involved in inevitable and irretrievable ruin.

Does not all this pre-suppose the power of self-restraint; and is it not an argument of still greater force when applied to one who has never bowed to the temptation, nor enslaved himself to the intoxicating cup? And yet how little deterring influence it exerts upon the mass of intemperate men!

Let him take one false step, and his case is forever hopeless. If heedlessness lead him to it, that same disregard of principle will much more easily lead him to it a second time. If appetite betray him, then his cure is not completed, and he will return to his habits as the "dog to his vomit." He must *know and feel* that he must *never begin*, and then he will never be in danger. This he will know and will acknowledge, if he be cured of his infirmity. If he does, he will sooner sacrifice his right hand than re-commence a practice foreboding evils so dreadful, both to himself and his family.

Do we ever hear language like this employed in relation to the avoidance of disease of body or inequalities of mind?

Yet the Massachusetts Committee recommend the erection of an asylum for inebriates, and regard it "as alike the interest and duty of the Commonwealth to abrogate all laws punishing intemperance as a crime!"

We do not think this course will be adopted without some

more forcible arguments than the report before us presents. We are fully satisfied that it is alike the interest and duty of society to punish the habitually intemperate by seclusion from the opportunity of indulgence, and by confinement to hard but healthful labor, suited to their condition and circumstances, and that we are also bound to put away from among us all excitements to the indulgence of an appetite for strong drink, and to visit with severe penalties all violations of the laws that restrict or prohibit the common traffic in it.

It is wise and proper, and, indeed, necessary to the well being of society, that the municipal authority should abstain from any interference with private habits until they become openly and obviously detrimental to the public welfare. In this view the first inquiry is, how stringent it would be wise and practicable to render a law that shall authorize the arrest and commitment to the work-house of all "drunkards, vagrants and disorderly persons;" and, secondly, how far any institution, established by virtue of such a law, will be able to combine restraint, with punishment, reformation and self-sustenance, in such measure and method as to suit the various classes committed to it.

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ART. III.—SIXTH REPORT OF THE PRISON ASSOCIATION OF  
NEW YORK. 1851, pp. 126.

Our readers will remember that an unfortunate controversy arose, some three years since, between the Prison Association of New York and the Prison Inspectors as to the right of the former to visit and inspect the prisons of the State. The law gives the Executive Committee of the Association the same powers of visitation and inspection which are vested in Inspectors of County Prisons—provided that an order, in a prescribed form, be first obtained for the purpose from certain authorities specified in the Act.

The Inspectors contend that they alone have "the charge and superintendence of the State Prisons," and that the just and proper course was pursued by the warden towards the Visiting Committee of the Prison Association, when he offered

to show them every part of the prison, all books and papers appertaining thereto, and to permit them to examine the convicts, *though only in his presence*. The Prison Association, on the other hand, insist upon it, that the right to visit, inspect and examine the condition of a prison and converse with convicts confined therein, *without the presence of any keeper*, and to do such other acts and things as the law authorises them to do, ought to be sustained, and that abuses of power will be likely to occur unless some such independent inspection from without is allowed.

We do not hesitate to avow our conviction that such a supervision, with proper legislative checks, is wise, wholesome and necessary; and we think every high-minded officer of a prison will gladly invite the most rigid scrutiny of its administration. The report before us does not exaggerate the abuses which may be perpetrated and concealed, if no such visitorial authority is exercised.

It requires but an understanding between the inspectors and the wardens, with the usual external influences, for one to pass into the office of the other; and by this interchange of positions and opportunities, the frauds or cruelties of the subordinate are, from sympathy or interest, connived at; the penal institutions of the State, with their inmates, unfortunately numbered by thousands, and their exchequer swelling up its annual account of receipts and disbursements to at least a half million of dollars, may become the sport of unprincipled and unfeeling men. We say not that such is already the case, but we do aver that without a constant, fearless and intelligent oversight of all concerned in the administration of prison affairs, such evils will be likely to occur; and further, we have reason to fear that an investigation into the secret history of Sing Sing prison for the last three years, would demonstrate the correctness of our surmises as to their existence, to a greater or less extent, for this entire period.

This question has still another serious aspect. If the inmates of our prisons are criminals, they are yet human beings. If they have made themselves obnoxious to the law, yet the law prescribes the nature and extent of its penalties. They have their rights, as well as their duties; and the former are to be as sedulously guarded as the latter to be rigidly enforced. But how shall they assert their rights? If they suffer wrong, who is to know it? If oppressed and maltreated, where is their remedy? Society has placed them beyond the pale of credibility, even when they tell of their sufferings. Nay, when they do attempt to speak of them, they are rebuffed with the contemptuous retort, "who will believe a convicted felon?" And thus the felon, God-created though he be, is left without a remedy for the stripes inflicted upon him which the law forbids; for the iron yoke riveted to his neck by the fiat of inhuman keepers, not by the law of the land; for the dungeons and the floodings and the kindred tortures, which unwatched and secret power is as ready now, as in the worst days of the Inquisition, to inflict on its helpless victims. How long shall these things be?

In the progress of the controversy, to which we have alluded, the Inspectors endeavored to show that the statement made by the Prison Association, concerning certain abuses in the prison, were incorrect, and were disavowed by some, under whose sanction they claimed to be made. We think they take nothing by this motion. The attempt to force the members of the Association into a false position is too obvious, and we are sure that if the Inspectors could have seen what sort of a letter their allusion to Judge EDMONDS would have constrained that gentleman to write, they would have let him alone.

In respect to the main question of the right of the Committee of the Association, under the limitations of the law, to examine convicts, and that too apart from all officers and keepers, Judge E. says :

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

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

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

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

How easy it is for the officers to conceal their own conduct, was exemplified to me when I was an Inspector at Sing Sing.

I was astonished and worried by frequent complaints of the prisoners, that they did not get enough to eat, and I gave peremptory orders that they should have enough. I directed the assistant keepers to send their men to the kitchen whenever they complained. One of them, who saw that one of his best workmen could not do a day's labor from weakness, sent him to the kitchen in vain. He went himself, and could get no food for his man. He then complained to the principal keeper. That officer, when he found out who it was that complained, beat him over the head with an iron rule until it broke in his hand, then beat him with the hard wood handle of a stone hammer, and when that flew out of his hands, from his own violence, attacked him with a stone axe, and would have struck him with it in his passion, if he had not been prevented. The poor convict was then tied up, and whipped with some fifty lashes of the cat, and ended the incident by some two weeks confinement in the hospital, and all for having complained of being hungry !

Although I was frequently at the prison, and gave to its affairs as close inspection as any Inspector ever had done, months elapsed before this outrage was made known to me; and it was not until a committee of the legislature was sent down to investigate the affairs of the prison, that I learned that the keeper had been in the habit of subduing by starvation the prisoners of whom he was afraid.

It was so easy for the officers to conceal even from me, with all my attention and vigilance, their abuses of authority and wanton cruelty.

Hence the wisdom and propriety of receiving the statements of prisoners, though receiving them cautiously and with many allowances ; and hence the rule of the Association, upon which they acted while they were allowed the opportunity of investigating them, to receive them, but never to give them to the world unless supported by other and satisfactory evidence.

In illustration and confirmation of these views, the report proceeds to give, in detail, a history of some fifteen or twenty cases of violence and cruelty in the treatment of convicts. The two following are selected as well for their brevity as for their pertinency.

1850, Feb. 14th, (No. 584, R. No. 2, p. 103.) Sentenced for five years for grand larceny, was pardoned and discharged yesterday after two years imprisonment, on condition of his leaving the State. Says, a prisoner by the name of John Taylor had been sick for some weeks so as to be unable to work, though he was not placed in the hospital ; about two weeks ago he went into the file-shop, when Williamson, the agent of that shop, ordered him to do something in the shop ; he replied that he was not able. Williamson then informed Solomon Lockwood, the deputy keeper in charge of the file-shop, of the circumstance, and he represented the case to the warden. From the representations of Lockwood, the warden thought that Taylor ought to be punished, and ordered him showered. Lockwood then went to Taylor, and ordered him to accompany him to the bath ; Taylor requested that he might be permitted to speak to the warden ; this reasonable request was refused, and they hurried him off to the bath. When he got there he refused to go in, alleging that he had committed no offence, and went directly back to the shop. Lockwood then went for Bob Lent, who soon made his appearance with a club, accompanied by several of the guard with guns. Lent fell upon Taylor and beat him all the way to the bath ; they

put him in and showered him dreadfully ; he was taken from the bath to the dock cell and kept there two or three days in his wet clothes, and paid no attention to dressing the wounds they had inflicted upon him ; he remained in this cell several days, when he was removed to the hospital where he now is. Says that Lent and Lockwood are both very intemperate.

*October 23.* (No. 628, Reg. 2, p. 138.) Sentenced five years for forgery, second degree ; discharged yesterday ; is strongly recommended by E. L. Porter, warden of the prison. Says they have some good keepers, but they have three bad ones, viz.: Lockwood, Purdy and Flack ; says Robert Lent is a hard case, but thinks he has made some improvement of latter time ; thinks Wells has given him a caution ; says the potatoes are cooked the day before they are used ; lie in the water all night, and the next day they are sour and very unpalatable ; the coffee is also bad, owing to its being made the day before it is used ; the meat is a little better since they have had a dining-hall ; says he saw Wells shower a prisoner named Barney with five barrels of water, having great lumps of ice in it, and while the man was dressing, he took his cane and laid on him as hard and as long as he was able, after which he put a ball and chain on him, and placed him in solitary confinement for six months, but the man died before that time expired. The keepers, generally, discourage discharged prisoners from applying to the Prison Association for assistance. Says the chaplain is very negligent in the performance of his duties ; says Wells has a man in confinement suspected of setting fire to the work-shops ; is to be kept on bread and water till he dies, if he does not confess it.

We cannot shut our eyes to the temptations and facilities to abuse power, which are necessarily connected with the office of prison-keepers ; and it is not impossible that some of the most terrific schemes of crime have been planned under the exasperating sense of injustice, or suggested by the wanton abuse of power, perpetrated under the forms of law. It becomes us all to remember, that the measure we mete to others may be measured to us again, and that no man is too insignificant to be an object of fear to those who are conscious of having wronged him.

The report contains some very impressive statements respecting the condition of houses of detention—especially in the city of New York.

Amongst those daily arrested on the charge of crime, are very many entirely innocent, others detected for the first time, others of tender age, youths and mere children. Now we safely affirm that of these classes who enter our houses of detention, four out of every five pass out sevenfold more the children of crime than they were before. From the association of these pest houses, no other result can be rationally looked for ; and so it will continue to be until the whole system is changed. Greatly to improve the discipline, with the present conveniences, cannot be expected. But what has been done toward this end ? Thus are we going on from year to year, absolutely educating the young to crime ; perfecting the novice, and hardening the proficient. Looking at this question from the ignoble stand-point of dollars and cents, we ask, is it good economy ? But when we examine it

in its moral aspects, we are amazed that our city authorities, for a long series of years past, have seemed so willing to overlook it, or to blind themselves to its glaring evils. In our former reports, as well as in maturely considered memorials, we have invited attention to this subject; but our statements and recommendations have been alike disregarded.

Our houses of detention not only in this city, but throughout the State, are little else than seminaries of vice and crime. Of these, there are about seventy, annually sending into the community, their thirty thousand graduates. In this city alone, we have in round numbers, not far from twenty thousand, passing through the different classes, re-entering into life more thoroughly prepared for the practice of their debasing and ruinous arts, in which society itself, through these agents, has done its best to perfect them. And yet we are lavishing millions on our common schools, academies and colleges; spending untold sums in erecting and beautifying temples for the worship of God; multiplying and supporting police officers, constables, attorneys, judges, prison keepers and executioners; building and endowing almshouses and retreats; sowing private charities broadcast over the whole surface of society; whilst yet nothing, literally and truly nothing, is done toward arresting vice and crime in their first developments. Admitting even, what is doubtless true, that these educational and philanthropic agencies are preventive or restorative in their character; still men will fall into sin, and yield to the multiplied forms of temptation with which the world abounds. Is it wise, when this manifestation of character first takes place, to repress or to foster it? To nip it in the bud, or to allow the poisonous fruit to ripen? Men do not generally attempt to allay the fevered action of their bodies with stimulants, nor to quench fire with oil; but this were wisdom compared with our treatment of novices in crime. Engaged in the varied bustle and business of life, we pass on from day to day surrounded by crime, stopping a moment perhaps to deplore the desperate wickedness of the human heart, yet apparently in the most innocent unconsciousness, that to our own apathy and neglect may be attributed a large portion of the wrongs and misery over which we utter the passing sigh.

But whilst thus unjust to ourselves, as well as to those who might by proper care, be reclaimed, what shall we say to the more fearful wrong, of actually placing the young and the innocent in the very jaws of the destroyer? And this we are doing. Large numbers of those arrested on suspicion are the mere victims of circumstance or of malice; found perhaps in evil company; and that it may be unintentionally, or marked for sacrifice by a vindictive or jealous spirit. Thrust into the society and companionship of felons, and goaded to desperation by the wrong inflicted on him, the poor being readily listens to the teachings of his new associates. And if he leaves his den, desirous to forget what and whom he has seen or heard yet he is not forgotten. They remember him, search him out perhaps, recognize him, and tell of him as a prison bird. The brand is on him for life. Can it be wondered at, that the laws of society are broken, and that fraud and violence abound amongst us?

The attempts which have been made from time to time to present the congregate system of discipline before the public, as altogether the most economical, have been to a great extent successful. More than once has the judgment of commissioners been expressed emphatically in favor of separation, provided it would "pay" as well; and more than once have we

attempted to show, that if separation was the best agent to reform and save a public offender, its cost is a very secondary consideration. We have hardly dared to speak aloud on such a point, lest we should seem to be censorious, or at least uncharitable, but we have no qualms in extracting from the report before us an item of testimony to this point.

We fear that it must be acknowledged that the chief aim of our State hitherto has been to make the prisons self-sustaining, rather than reformatory institutions—a sad and short-sighted error. This is rather the economy of hoarding than of enterprize; a policy which, in withholding the investment of capital, forgoes its fruits. Hence the little attention that has been paid to the acts and doings of the wardens and keepers and their treatment of the prisoners confided to their care, so that their annual statement of earnings are satisfactory, and due parsimony manifested in their disbursements.

And in an interesting correspondence, which the society has sought during the year, from various individuals connected with prisons, the same idea is more than once brought to view. In a letter from W. Bristow, Esq., of Montreal, for example, the following passage occurs.

For my own part, my mind is made up. The separate system, if each convict could have free communication at all times with advisers who would only look to promote his welfare; and if the amount of time which he should spend in solitude could be limited to precisely the *quantum* that would benefit his moral, without either deadening or injuring his intellectual faculties, would approach perfection. But this is manifestly out of the question—*expense alone would prevent its being attempted.*

Now we would humbly submit, that though it might be impracticable to make so near an “approach to perfection,” as is here indicated, yet if the *element of separation* has so much virtue in it, the expense of introducing it and of giving it every possible opportunity of development is quite unworthy of consideration. We think the writer of the above paragraph is probably under some misapprehension, not only as to the practicability of actually doing just what he hypothetically states, but also as to the expensiveness of the attempt.

We suspect there are few prisons in the United States, where health of body, and vigor of mind have been more uniformly maintained, than in the Western Penitentiary of Pennsylvania, and in the State Prison of New Jersey, both on the separate

plan. Of the former, we are told on indisputable authority, that of sixty convicts discharged last year, not one left who was not in as good or better health than when he came, although one-tenth of them had been confined five years. Only a single case of mental disorder occurred among nearly two hundred different persons, and this was from secret vice, and of brief duration. This is certainly quite as favorable a report as could be expected, if all the conditions of the above extract were fulfilled.

Is it not fairly incumbent on any objector to show, that more free communication with moral advisers would have benefited his moral faculties more, and that a less *quantum* of solitude or separation would have darkened or injured his intellectual faculties less?

If more direct and unqualified testimony were needful to show, that *absolute separation* between convicts may consist with the highest degree of bodily and intellectual soundness, we have it in another portion of the correspondence of the New York Association. It is from Mr. Gaddis, warden of the New Jersey State Prison. We have room only for so much of his interesting letter as touches upon the point under consideration, and with that must dismiss the valuable document from our New York friends.

Having had charge of a separate prison for nearly ten years, it would be naturally supposed that my preferences and feelings would be strongly in favor of the separate system. Such I confess is to a great extent the case. If I were sure that *separate* prisons would all be conducted by practical men in a common-sense way, I would rejoice to see the system immediately adopted. With the controversy between the advocates of rival systems I have had nothing to do. I took charge of this prison with no experience, very little knowledge of prisons, and with no prejudice for or against either of the systems. Our State had adopted the Pennsylvania system, and I had only to administer it in accordance with our statute laws. I will frankly admit that my first impressions were strongly against the separate system. At the time of my taking charge there were twelve insane convicts; several of them maniacs. Most of these, it is true, had been sent when better fitted for a lunatic asylum; but in others the disease had unquestionably originated here, and in all it appeared to be aggravated by the rigid separation to which they were subjected. Subsequent experience has satisfied me that insanity is no more a necessary accompaniment of the separate than of the congregate system, no matter how long or short the terms of sentences may be. I know the opinion is generally held that separate confinement beyond one or two years tends to produce insanity in all prisoners. This is not my experience. I should, however, be wanting in frankness not to admit, that during the whole period of my official connection with a prison, I have constantly found a few individuals among the

convicts on whom rigid separation would produce insanity ; some in a longer, others in a very short time. This I only state as a fact which I will not undertake to explain ; I am satisfied that it must be the same in all separate prisons. If it were generally understood, it would remove much of the prejudice which exists against the system. The objections that are urged do not apply as against the system itself, but against its universal and rigid enforcement. I am decidedly of opinion that separation for first and every offence is the only plan in which we can hope for practical improvement or moral reformation in the convict ; but I would have power and discretion lodged with the prison authorities to mitigate it in individual cases such as I have referred to. In this prison, from want of any provision, a companion has been put into the cell upon the first symptoms threatening insanity, taking care to select in such cases trusty and discreet prisoners who may always be found. This has been done under a law which provides for employing prisoners to nurse the sick. It is not very frequently resorted to, yet the result has been that insanity has almost disappeared from the prison. Hardly a decided case has occurred and developed itself the last five years. If we had arrangements for employing these men in small shops until relieved, I should greatly prefer it.

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**ART. IV.—ANNUAL REPORT OF THE INSPECTORS OF THE STATE PRISONS OF THE STATE OF NEW YORK, 1850—51.**

THE document is arranged as follows : First, we have the report of the inspectors, embracing a general view of the Auburn, Sing Sing, (male and female,) and Clinton Penitentiaries ; then we have from each institution a series of reports from the several resident officers, viz., Agent, Warden, Physician, Chaplain and Teacher. We shall cull from each of these in their order. Our space is so limited, however, that we must confine ourselves to points of novel or peculiar interest.

In the three State prisons of New York, there are confined on an average from fifteen hundred to two thousand convicts. On the first of December last, they were distributed as follows : In Sing-Sing, seven hundred and sixty-five; Auburn, seven hundred and thirty-two; and Clinton, one hundred and fourteen ; total, one thousand six hundred and eleven ; being an increase of one hundred and twenty-seven upon the previous year. Among these there were thirty-three deaths, nine escapes, and forty-five pardons ; seventeen transfers to other prisons, and ten to the State Lunatic Asylum, and three hundred and fifty-two expirations of sentences. Six hundred were

received during the year, of which all but sixty-five are supposed to be first convictions, making a net increase of sixty-three to the stock of new convicts.

As New York takes the lead in the number of its State penitentiaries, as well as in the amount of its convict-population, we propose to turn over the leaves of this voluminous document in presence of our readers, and ask their attention to such passages and comments on them as may seem appropriate to the purposes of our Journal. We shall select the topics as they occur in our progress.

*Pardons.*—We are not a little surprised to notice how completely the pardoning power has been transformed, from an extraordinary provision intended to guard against the possible results of human error and infirmity, into one of the indispensable elements of prison discipline; so that virtually a sentence has come to be nothing more than a declaration, that the offender shall not be imprisoned beyond a certain period, leaving it to another and totally independent branch of the government, to say how much less it shall be. No one can read the section of the Inspectors' report which relates to this subject, without perceiving that the expectation of pardon is universal:

In their last annual report the inspectors dwelt at considerable length upon the subject of pardons, and endeavored to explain the advantages resulting to the management of the prisons, and the happy influence exerted upon the convicts generally, by a judicious, and in cases of long sentences for ordinary crimes, a liberal exercise of this mercy-dispensing power.

Further experience satisfies us of the correctness of our observations, and we are assured by the united testimony of all the prison officers, that under the present mild system of discipline, the hope of pardon as a reward for faithful application to duty and earnest efforts to reform, is the right arm of their government.

From the moment a convict enters the prison, the prospect of a reprieve engrosses all his thoughts, and unrelaxing hope sustains him throughout his incarceration. If it were possible to deprive them of this hope, they would lose all incentive to industry and obedience; the more desperate would resort to any expedient to effect their escape, while the mass of the long sentenced would sink into a state of apathy, and but few would go into the world not more or less the subjects of demency.

To avoid such lamentable results, which it is assumed would follow the carrying out of the sentence of the law as pronounced by the only competent tribunal, it is proposed to relax some of the provisions which have been found necessary to prevent fraud and imposture in the obtaining of pardons.

By a recent act, the parties applying for a pardon must first serve a written notice of their intended application upon the District Attorney of the county in which the conviction was had ; a similar notice must be published four weeks in the State paper, and in one paper in the county where the convict was tried, and affidavits of such service and publication must be presented with the petition.

It is thought that those prisoners whose pecuniary resources are limited, or whose outside-friends are few, stand an unequal chance of getting their free papers, and that something should be done to open the door of mercy a little wider, that all should have free ingress and egress.

To show that this plan of using pardons, as a part of the reformatory discipline works well, the inspectors say :

To the knowledge of the inspectors, but one of the 192 convicts pardoned during the last three years, has been returned to prison, while many of them are pursuing honest and upright callings, and give hopeful evidence of positive reformation.

The phraseology of this testimony is rather equivocal, inasmuch as it may mean that the inspectors positively know that only one of the one hundred and ninety-two has been returned to prison, or it may mean that though scores have perhaps been returned, they know of but one.

The proportion of pardons in two consecutive years was as follows :

|            | 1849-50. | 1850-51. |
|------------|----------|----------|
| Auburn,    | 1 in 44, | 1 in 30. |
| Sing-Sing, | 1 in 58, | 1 in 46. |
| Clinton,   | 1 in 39, | 1 in 23. |
| Average    | 1 in 47, | 1 in 33. |

Certainly a very liberal advance towards an amnesty !

*Provisions.*—The daily average cost of rations at Sing-Sing is eight cents and six and a quarter mills a day ; at Auburn six cents and seven mills, and at Clinton eight cents and three and two-third mills.

*Mortality.*—There is a striking difference between Auburn and Sing-Sing in this respect ; the per centage of deaths in the

former, being as one in seventy-three and a fraction, upon the daily average; and in the latter, as one in thirty-eight and a fraction, while at the Sing-Sing female prison they were as one in twenty-six, and at Clinton, one in thirty-nine and a fraction.

The most favorable view that can be furnished of the New York prisons, with an average population of one thousand five hundred and fifty-six, and all on the congregate plan, gives us a mortality of about two per cent for the year. The mortality in the Eastern Penitentiary, on the separate plan and in the same time, it will be observed was one-third of one per cent.

*Length of Sentences.*—We are happy to see a distinct reference to this important subject by the New York Inspectors; and we are quite sure that if our legislatures could be persuaded to give the subject a calm and thorough examination, this feature of our penal law would be essentially modified. We ask our readers to look carefully at the following statements:

1. *In respect to Auburn.* Twelve convicts are under sentence for life. Of the remaining seven hundred and twenty, the average term of sentence is four years, nine months and twelve days. Of these, one hundred and seventy-five range from five to ten years, and ninety-six from ten to twenty-two years! We should feel obliged to any person conversant with the nature of the human mind and with the motives that influence it, and also with the history of prisoners and the results of convict-discipline, to tell us what advantages may be reasonably expected to result from the protraction of these two hundred and seventy-one sentences, beyond the period of five years? Of course we admit that so far as their incarceration is designed as a protection to society, the longer it is continued the better; but this argument would justify the extension of all the sentences from a term of years to life. The convict who is sentenced to twenty-two years, is expected to leave the prison at the end of that term, and our inquiry is, in what respects is it supposed he or we (the public) shall be advantaged by the last fifteen years of his confinement?

2. *As to Sing-Sing.*—Exclusive of fourteen who are under

sentence for life, we have six hundred and eighty convicts under an average sentence of five years, nine months, and seven and a half days, or one year beyond the average at Auburn! How this is explained we do not know. Of the six hundred and eighty, there are one hundred and fifty-six whose terms of sentence are between five and ten years, and one hundred and sixty-two between ten and twenty-five years,—evidently a much larger proportion of severe sentences. We repeat the inquiry,—what does society expect to gain in advantage to itself or to the prisoner, (aside from security against predation,) by prolonging the confinement of these three hundred and eighteen men, beyond the period of five years?

The aggregate term of sentence of all the convicts in the State, (exclusive of the twenty-seven doomed to imprisonment for life,) amounts to eight thousand two hundred and twenty years.

The reasons assigned by the inspectors for abridging the term of confinement, are particularly worthy of notice; not only as they bear upon the point at issue, but also as incidentally opening to us some features of the interior condition of congregate prisons, which are not always so readily unveiled to public view. We have no hesitation in saying, that if we at all understand the ground on which the advocates of congregate discipline rest their claims, the New York Inspectors have not left them an inch of it. It seems to us that the gravest evils of association are fully admitted to exist in the prisons under their care. Listen to their own testimony!

Conducted as our prisons necessarily must be upon the congregated system of employment, it will readily be supposed that evil communications exist among the inmates, by which the young and inexperienced are initiated into the knowledge of other crimes, and made familiar with the means of perpetrating offences of every description.

The longer the sentence, the more thoroughly the young convict acquires this description of knowledge, and it is but reasonable to suppose that protracted incarceration destroys the better faculties of the soul, renders the man more indifferent to future consequences, and hopelessly unfit for that moral effort which can alone restore him to society. To this cause may be attributed much of the difficulty and discouragement which our prison teachers have to contend with.

The convict who has served a five years' term before arriving at thirty years of age, is prematurely old in body and mind. The destruction of health is invariably attended with a corresponding failure of mental energy,

removing the subject still further from the influence of all that is commendable, and rendering him the easy victim of those who are more conversant in the paths of guilt. As a general rule, the younger class, who are convicted of larceny, burglary, and other offences against property, are the dupes of older and more experienced rogues. To reform this class is of the utmost importance to society, yet under the present system of sentences and imprisonment, it cannot be denied that too many of them, who enter the prison with deep humiliation in view of their first offence, leave it prepared to engage in any daring and lawless enterprise.

The separate system has seldom been accused, even by its bitterest opposers, of greater wrongs to the body and soul of a convict than are charged by this extract upon congregation; and it certainly has escaped that other and most grievous reproach which is here cast on the New York prisons, viz., the propagation of crime within the prison walls—and this is presented as a natural consequence of conducting a prison upon “the congregated system of employment.”

We hope this will not be regarded as a party question, but as a matter in which very important public interests are involved. There is a sense in which society is weaker than an individual; and to exasperate a bad man by the abuse of power, just because we have him for a moment in our clutches, or to expose him to influences that shall make him more audacious and reckless in deeds of violence and rapine, is as impolitic as it is inhuman.

*Causes of Crime.*—Here we have much matter for reflection—not new indeed: if it were, we might expect some earnest and adequate effort to change the face of things.

Of seven hundred and thirty-two convicts at Auburn prison, five hundred and seventeen were never instructed in any trade or calling, whereby to earn a subsistence; three hundred and eight had been deprived of a home before sixteen years of age; one hundred and ninety-one were deprived of one, and one hundred and eighty-one of both parents before sixteen years of age; one hundred and eighty-five were intoxicated at the time of committing the offence; three hundred and ninety-four were without occupation at the time of arrest; three hundred and seventy-one were intemperate; four hundred and sixty-eight had received no religious or moral instruction, and five hundred and twelve had never read the Bible, or attended divine service. A critical examination of the convicts in the other prisons would exhibit a still more deplorable picture of neglected education and early abandonment to vice and crime.

Of the six hundred and ninety-four males in the Sing-Sing prison, three hundred and forty-nine were under twenty years of age at the time of their conviction, and four hundred and eighty-seven had never been taught a trade.

We have not often been so deeply impressed with the importance of some provision for young criminals, as by these facts. We use the phrase "young criminals," to distinguish the class of offenders we have in view, from "juvenile delinquents" on one side, who are studiously protected from the reproach of criminality, and from old rogues on the other, who are amply provided for in a good State prison. The State Reform School in Massachusetts comes nearer to the establishment we have in view, than any other in this country. Parkhurst Prison, on the Isle of Wight, approaches more nearly than we should like to a penitentiary, and yet this is the safer hand on which to err.

We incline to rely much upon the influence of an *alternative*, which neither our Houses of Refuge nor our Penitentiaries can employ. The youngster has been accustomed to petty thieving from his infancy, and has perhaps been trained to it under parental inspection and authority. When he is old enough or bold enough to grasp at something more valuable than candies, oranges, or pen-knives, he is nabbed once or twice by the constable, but in consideration of his youth, he is turned adrift again. Now this is the critical juncture at which the alternative should be presented substantially, in the following form :

'You have been convicted of a crime which is punishable by confinement to hard labor in the State prison for two years. In consideration of your youth however, and in the hope of restoring you to honest and virtuous habits, we shall let this conviction stand on record, but suspend the sentence. In the mean time, you will be put under a severe, but wholesome discipline, more or less rigid in its application, as you prove yourself more or less improveable under its influence. Should the result show that you are disposed to pursue an honest life, the infamous punishment to which you have exposed yourself will be remitted, and a free pardon will remove the stigma of your conviction. If on the other hand, you shall prove incorrigible under a discipline fitted to your age and circumstances, you will bring upon yourself the infliction of the suspended sentence, and voluntarily take your rank with felons.'

By this course, all due consideration is given to the untoward circumstances of the offender's life, the interests of the

community are properly cared for, and the very best opportunity is afforded for a return of the delinquent to honest habits.

We would not diminish the number, nor detract from the importance and utility of Houses of Refuge; but we think a vast benefit could be conferred on our community, if an institution were organized at some convenient place within twenty or thirty miles of Philadelphia, substantially on the principle of the State Reform School for boys, to which we have alluded. The experiment has succeeded admirably in Massachusetts, and is about to be tried there upon the other sex, and we doubt not with equal or even greater success.

*Convict Employment.*—The inspectors state, that at least five of every six who are committed on a second conviction, are among those who had not acquired the knowledge of any mechanical business at which they could find employment after leaving the prison!

Of the one thousand five hundred and forty male convicts in prison at the date of the report, nine hundred and twenty-eight were under thirty years of age, and (including one teacher, four lawyers, four physicians, and twenty-eight mercantile clerks, none of whom will be likely to prosecute those professions successfully hereafter;) there were one thousand and forty-two who had never learned any mechanical trade. Over two hundred of these are under twenty, and a large majority are under twenty-five years of age, and the Inspectors very justly submit it to the judgment of the legislature, whether the employment of these young men, for two, three, and five years, at occupations of which they cannot avail themselves after they leave, and which, in some instances, disqualify them advantageously to pursue any other, is not inconsistent with the humane spirit of our penal system, injudicious in its effects upon the convicts, and extremely liable to swell the amount of crime.

We had supposed that one of the great advantages claimed for the congregate system of discipline, was the facility of introducing and prosecuting profitable trades; and we still incline to think, that as soon as the *advantage of the discharged convict* becomes the governing consideration in the choice of convict-employments, there will be a signal revolution in the finances of some prisons, that now show very flattering balances.

*Working Time.*—We notice a considerable difference between the labor required at the different prisons. The longest time at Auburn is eleven hours and ten minutes, and this is required six months of the year. The longest time at Sing-Sing is only ten hours and ten minutes, and this only for two months in the year. The shortest time at Auburn is eight hours and fifteen minutes, and at Sing-Sing seven hours and ten minutes. Average at the former ten hours and twenty-four minutes, and at the latter eight hours and fifty-five minutes.

*Fiscal Condition.—*

|                                                                                    |         |          |    |
|------------------------------------------------------------------------------------|---------|----------|----|
| Earnings at Auburn,                                                                | - - - - | \$68,483 | 75 |
| Expenditures for ordinary support,                                                 |         | 56,165   | 87 |
| Excess of earnings,                                                                | - - - - | 12,317   | 68 |
| Earnings at Sing-Sing,                                                             | - - - - | 70,234   | 99 |
| Expenditures for ordinary support,                                                 | -       | 76,815   | 36 |
| Excess of expenditures to be reduced by<br>receipts for earnings not yet paid for, |         | 6,580    | 37 |

The Sing-Sing prison was in debt September 30, 1850, to the amount of \$12,873 54. The male prison earned \$6,636 22, more than it cost, and the female prison cost \$7,765 57, more than it earned.

It appears that the profits of the New York prisons are derived mainly from contracts. At Auburn, the daily average expense of each convict during the preceding year, was twenty-three and three-tenth cents, or two cents less than in 1849, while the daily average earnings of all the convicts during the same period was twenty-eight and three-tenth cents, and the daily average earnings of the convicts employed upon contract was forty-four and two-tenths. It is further stated that the daily average number of convicts employed on contract is five hundred and fifty-seven. It would appear, therefore, that the daily earnings of these five hundred and fifty-seven convicts over and above their daily expense was twenty cents each, or \$111 40 per day.

Thus far we have confined ourselves to the general report of the Inspectors. We now come to the first subdivision, which relates to the prison at

## AUBURN.

*Warden's Report.*—The warden of the Auburn prison speaks in very gratifying terms of the influence of the correspondence of the convicts with their friends, which he takes under his own superintendence. Six hundred such letters were written during the last year.

*Prison Library.*—We observe that one hundred dollars were expended during the year in the purchase of one hundred and thirty-two new volumes. If the titles are correctly printed, and indicate the character of the books, we should venture to express a doubt whether a much larger number of quite as appropriate volumes might not be obtained for the same money. And it is quite obvious that where there is so large a number of readers, fifty copies of one or two really valuable and suitable books, would be better than a single copy of fifty different books of inferior or doubtful merit. We throw out this hint for the consideration of those who purchase books for such uses, rather than in the spirit of fault-finding with our Auburn friends.

*Physician's Report.*—Nine deaths occurred at Auburn—against two of which is assigned as the cause “Insanity, debility.” The physician says :

There are now twelve convicts more or less mentally deranged. Of this number, seven are proper subjects for the treatment of a lunatic asylum. During the year, nine have been sent to the State Asylum at Utica, of which three were returned as not insane. One escaped from the Asylum, and after having been confined in several county poor houses, was finally lodged in the Montgomery jail, whence he was taken by the warden, and is now in this prison, a confirmed lunatic.

The average age of these persons was less than thirty-four years. They were all white. What sentence was upon them, or at what period of its duration they were seized is not stated.

It is easy to see, that if the Penitentiary at Auburn were left (as the Eastern Penitentiary is,) to receive lunatics for safe keeping, and to retain those who become lunatic in prison, (as some always do in every prison,) it would not be difficult to make out a very revolting report of the insanity of its inmates. We trust all needful arrangements have been matured to place in the new State Lunatic Hospital, as soon as it is opened, such of the inmates of the Eastern Penitentiary as are not, or never were, proper subjects of prison discipline.

The largest per centage of mortality at Auburn was in 1846, being 5-21 per cent. The per centage, there, has never fallen so low as it was in the Eastern Penitentiary last year. During the last year the physician at Auburn reports 1925 distinct prescriptions of rheumatism!

*Moral and Religious Instruction.*—The report of the chaplain of the Auburn prison furnishes us with another incidental view of several of the disadvantages of congregation. A visitor to any separate prison will be likely to find a considerable proportion of the convicts employing the intervals of work in reading. Each cell is furnished, constantly, with suitable books, and the little odds and ends of time which would otherwise pass in idleness are, from choice, employed. How is it, in this respect, with the tenants of the Auburn prison?

The books are eagerly sought, and would be extensively read, were there the opportunity of so doing. But, not being allowed to read by day, (except on the Sabbath, and a short time after work during the summer season), and having no light to read by night, the library of the prison can be productive of but little good. Until measures are taken to light the wings where the men are confined *more than one-half of the time*, neither their minds nor morals can be greatly benefited by this beneficent provision of the Legislature.

It is morally impossible to enlighten the minds and improve the morals of these men, to any considerable extent, while they are deprived of the means of *profitable* mental occupation, and thus left exposed, during their hours of solitary confinement, to the corrupting and debasing influence of ungoverned passions and vile imaginations. I greatly question whether one in ten of the most intelligent and best men in society could be subjected to such a course of treatment without its greatly debilitating his intellect and corrupting his morals. If such would be the influence of this treatment upon *intelligent* and *good* men, what can we expect but similar and more disastrous results in the ignorant and immoral?

The cost of furnishing the requisite light can hardly be deemed worthy of consideration. I have recently been informed by the warden of the Ohio State Prison, where they manufacture their own gas from refuse grease, that the whole establishment is lighted by 300 *burners*, at an average expense of less than three dollars per night.

The italics are not ours, but we quite approve of the discrimination the worthy chaplain has shown in the use of them.

The chaplain furnishes an interesting sketch of the personal and social habits of the 732 convicts under his care, of which the following are particularly suggestive:

Four-sevenths of the whole are under 30 years of age.

468 had little or no religious instruction.

VOL. VI.—21

516 seldom attended public worship on the Sabbath.  
512 were not in the habit of reading the Bible.  
669 were accustomed to the use of ardent spirits.  
571 used tobacco, and 5 in 6 were habitual Sabbath breakers.  
550 used profane language.  
394 had no occupation when arrested.  
526 confess their guilt.  
Crimes against person, 134; against property, 598.

#### SING SING.

The report of the Agent of the Sing Sing prison is in the usual form of monthly returns, supported by monthly oaths, and containing a detail of prison-expenses, contracts, law-suits, &c.

The trades pursued in Sing Sing are as follows:

On contract, 457, viz: Carpet and rag-weavers, hatting, tile-making, lime-burning, coopering, saddlery, cabinet-making and chair-seating. Employed for the State, 159, viz: Stone quarrying and cutting, on buildings, at tailoring, shoemaking, weaving; and at common labor, 78—total, 694. It is expected that, with the present abundance of shop-room, nearly all the able-bodied criminals will be put upon contract-work, and thus the revenues of the prison be greatly increased. In the mean time, \$12,000 are asked to meet current expenses.

*Books.*—In Sing Sing one hundred and fifty dollars were expended for one hundred and twenty-nine different works, embracing one hundred and seventy-three volumes, or nearly a dollar a volume. If it were not for the seeming presumption of the inquiry, we should ask whether more care in the selection might not secure a larger and better variety for much less money?

*Warden's Report.*—The number of different convicts under care during the year, was nine hundred, and of these six hundred and ninety-four remained in custody Dec. 1, 1850.

Two disastrous fires occurred during the year, both of which were set by convicts, one of whom is under indictment for the offence. The warden says, that “the trial of the case will show that this is one of the results of the interference of contractors or their agents or foremen, with the discipline, and the trading and trafficking with convicts.” He says,

I have the evidence that a foreman, employed by a contractor in that wing, had introduced unlawful and forbidden articles to a convict, and was under an engagement to bring in a still larger amount, including matches and money, when the plot was discovered.

A separate prison is happily exonerated from any such hazards.

*Physician's Report.*—In order to perceive the bearings of this report on some questions involving the sanitary condition of prisons, it is needful to state, that the convicts employed on contract are chiefly occupied in hatting, cabinetmaking, brass work, and in machine and file-making; few, comparatively, in weaving or shoe-making, which are regarded by some of our physicians as extra-hazardous to health. Those who are employed on State work are chiefly occupied as weavers, carpenters, blacksmiths, stone-cutters and quarry-men and out-of-door laborers. The average number of medical prescriptions, daily, was thirty-one and a fraction. It appears, by the medical tables, that of 11,526 applicants for medical treatment, 4,434 were from convicts employed on State work, 1,937 from persons employed on file contracts, and 1,507 on hat contracts. One in six of the applicants for medical aid were not prescribed for. Only 126 of the whole number were admitted to the hospital! Of seventeen deaths by disease, nine were from the convicts employed on State work, and two of the three deaths, from casualty, were from the same class. The number received in good health, during the year, was 140, the number discharged in good health, 117. No less favorable view in this respect has ever been presented by any prison on the separate plan.

The whole number of convicts, male and female, under care during the year, was 1007, and the mortality from disease was a little less than two per cent.

Of the 694 male convicts, 126, (or nearly one-fifth) were colored. The proportion of colored to white received during the year was about as one to four, but in the return of the female convicts on hand at the close of the year, one in eight only are colored. We suppose the average proportion of colored to white, in the whole population of both prisons to be nearly the same, and we find that eight of the twenty deaths by disease were of colored persons, and of the whole twenty-three deaths, eleven were colored. Of the twenty deaths by disease, fifteen

were from consumption. Four of the male deaths were of persons on State work, and twelve from active contract labor.

*Chaplain's Report.*—The chaplain complains of a serious abridgment of the reading opportunities of the convicts:

The new mode of eating breakfast and dinner without going to their cells, is a great curtailment of the convicts' time for reading. Indeed, in short days, the time of unlocking in the morning and of locking up at night is so near the verge of day-light and dark, that, except in some few favored locations, they cannot, without difficulty, read even a chapter in the Bible.

*Nature of Crime.*—Of the convicts on hand Dec. 2, 1850, there were, for crimes against the person, 103 males and 10 females and for crimes against property, 591.

*Previous Occupation.*—Of the 694 males, 251 were laborers and 192 mechanics; and of the 71 females, 27 were servants and waiters—15 were house-workers and 11 prostitutes.

Do not these items indicate, very clearly, the points to which reformatory influences need to be skilfully and promptly directed?

*Length of Sentences.*—Of the sentences of the males, 332, (or nearly half,) exceed five years—of the females, 39 are less than three years and only 19, (or about a quarter,) are five or more.

#### CLINTON PRISON.

An average of one hundred and nineteen convicts were employed at this prison last year, chiefly in the iron business. Twenty thousand dollars were appropriated to its support last year, and debts have been contracted during the year to the amount of \$8000 more. Twenty thousand is asked for during the current year. Of the 114 convicts in custody, Dec. 1, 1850, 23 were for offences against the person. All but seven of the convicts, that were able to work at all, have been employed in active labor, and yet the deaths have been nearly three per cent., and, at the time of the report, fourteen were either in the hospital or on the sick list.

The physician's report contains an emphatic condemnation of the daily use of molasses as a diet, and ascribes the prevalence of much disease to it. He proposes that cows should be kept on the prison grounds in sufficient numbers to supply milk to the convicts, which in his opinion is a cheaper, more acceptable, and a far more healthy diet.

*Chaplain's Report.*—In describing the inmates of the Clinton prison, as the subjects of moral influence, the chaplain says:

One class have come up from their cradles of themselves (as they observe), knowing little or nothing respecting God and the Bible. Another class is composed of broken-down professors of religion, who have been excommunicated from churches, or have turned themselves out of them. Another class, comprising youth and the middle age, have had the advantages of domestic religious instruction, preaching and Sabbath-schools,\* but have counteracted this education, and entered the path of vice which conducted them here. These convicts often betray considerable emotion when admonished, and reference to a father's prayers and a mother's entreaties being made, the hardened felon is seen to weep. It is with this number the chaplain has ordinarily the greatest encouragement, yet from too many of these we often hear the doctrine that the devil has introduced into all our prisons, *that a prison is no place to obtain religion.* Thus they come without piety, pronounce its attainment here impracticable, and therefore will probably despise it when released. There is one more class to be mentioned (the smallest I am sure) who are professed infidels and scoffers. These convicts avail themselves of every opportunity before their fellows, when they dare, to express their perfect detestation of the Bible and its precepts, and as there has been no divorce as yet between infidelity and crime, these persons resolve on finding a full remuneration for their present loss of time and privileges, when released, by their former illegal methods of making money. Indeed one of these, when reproved for his wicked intentions, said to me, "I shall not consent to bear the odium of theft without the emolument."

Such exhibitions of depraved feeling and determined hardness, made "before their fellows," whenever opportunity allows, must have a very mischievous effect; and it is one of the advantages of convict-separation that it does not afford any such opportunity.

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#### AET. V.—A CONVICT'S STORY.

One of the visitors at the Philadelphia County Prison has furnished us with a letter, addressed to him by a colored convict who has been confined there for fifteen or twenty months. When he entered the prison he was able neither to read nor write; but since he has been there he has acquired a very good knowledge of both these arts. His orthography is, of course,

\* This reference to Sunday-schools is very unjust. We venture to say, that if each case was fully investigated, very few, if any, would be found in which the fair influence of a good Sunday-school was exerted for a series of years upon a child who subsequently became a convict.

quite defective, but his conceptions are clear, and are expressed throughout with much force and intelligence.

The views he entertains may be relied upon as entirely original with himself; and, as they have the impress of ingenuousness upon them, we have selected two or three passages, which we think will interest our readers.

The first relates to the comparative severity of separation and congregation as a system of discipline:

I have been an inmate of various prisons for fifteen consecutive years; and during that time I have had frequent opportunities of conversing with my fellow-prisoners; and I find that the major part of them are in favor of solitary (separate) confinement. Therefore, if the authorities think that they aggravate a prisoner's punishment by separate confinement, I will apprise them that they are most agreeably disappointed. As to myself, I would rather be confined five years in a lonely cell than two in a prison where the inmates are permitted to congregate together. Solitude has no terrors for me. I am alone, and there is no one to irritate or ruffle the tranquillity of my mind. In a word, if a contented mind, a healthy body, and a cheerful spirit constitute worldly happiness, then I am a happy man.

In respect to the influences which are likely to operate most favorably on a convict, he uses the following language, which, though not new, expresses, with force and interest, the result of experience.

It is often asked, what is the most likely method to reform a prisoner? I answer, kind treatment, while he is in prison, and employment when he is liberated from it. The transgressor of the law must be allured to the path of rectitude by kindness and not by severity. I have heard several persons say, that the object or desire of Prison Discipline Societies is to reform a prisoner, and not to inflict unnecessary punishment; but this I believe to be all a humbug. Your engines of torture are still in operation in every prison in the Union. The shower-bath, straight-jacket and scourge are still adopted as sovereign remedies to reclaim delinquents. And what if you should succeed in reforming a prisoner, are any of you willing to procure him employment or furnish him with the means to maintain himself until he obtains it? Perhaps you are ignorant of the many disadvantages under which a convict labors. If so I will endeavor to enlighten you upon this subject. We will say, for instance, a prisoner, during his incarceration, has reflected and pondered upon his previous deportment. He is fully convinced that the path of a dishonest man is a gloomy and thorny one—he is equally sensible that "the way of the transgressor is hard." And he is sure that his sins have found him out here, and landed his body in an earthly prison, and that unless he turns from his evil ways they will land his immortal soul, hereafter, in the eternal prison-house of perdition. Well, he resolves, with the assistance of God, to lead an honest and virtuous life. His time expires, and he is liberated from prison, with, perhaps, not a penny in his pocket or a friend in the world, except thieves and prostitutes. His character is gone, and those who once knew him as an honest man, shun and despise him. He is destitute of a home and the necessaries of life, and those who once employed him will not allow him to come about

their house. He is regarded as an outcast from society and a rebel against God and man.

What signify his good resolutions if he meets with no one to encourage him to pursue an honest course? Will those wordy friends come forth and aid him in his forlorn situation, or give him a night's lodging or a meal of victuals? No. Then what is he to do? There is but one alternative; he must either starve or seek the society of the vicious; and, notwithstanding all his good resolves, sink still deeper in the gulf of depravity. In a word, the sum and substance of what I have been endeavoring to say is this—if you should be successful in reforming a prisoner, give or get him employment, and admonish him to avoid, not only his thievish companions, but also the gambling table, grog-shop, house of infamy, &c.

I have the confidence to believe, and the impudence to affirm—that there are many men confined in this prison (I do not pretend to say that I am one of their number), who, if they could obtain immediate employment after their liberation, would become honest and industrious men; but want of employment and the contempt with which the community at large treats them, drives them again to their old habits.

Ye friends of humanity! if you really wish to reform or make honest men of us unfortunate outcasts, you must establish a House of Industry, expressly for liberated convicts. We are not willing to be regarded as objects of charity; but we wish to make a decent living by the sweat of our brow. We cannot go to your present House of Industry, for a reformed thief there would be considered a loafer or vagrant, or, what is worse than all, an object of charity!

As an illustration of one of the ways in which evil habits are formed, we subjoin another extract. It is only one of a thousand proofs that many of the tenants of our prisons are “more sinned against than sinning,” and that if the convicted offender deserves (as he certainly does) to feel the scourge of public justice, there is another offender, who deserves ten stripes to his one.

I have done full justice to my master, and even exceeded him in the science of crime. For truth obliges me to say, though he was an infidel, a libertine and a drunkard, yet I never knew him to steal or rob. However, I don't think it was his good principles that restrained him from either; but simply because he had enough of this world's goods, and therefore had no occasion to do it; or perhaps the dread of a prison constrained him (as it does many other cowardly villains) from appearing in his true character. Notwithstanding, he would not hesitate to take the advantage of an ignorant dealer, or to mix a pail of water with every three pails of milk. Yes, sir, many a time have I milked the pump by his orders, and poured it in amongst the milk, and then sent it up to the city and disposed of it to the simple minded epicures to make nice puddings of!

My virtuous master used to take horses too to pasture at one dollar per head a week. But sometimes a gentleman would desire that his horse should have a little oats. “O, very well,” my master would answer, “it will only be fifty cents more a week.” Therefore, when the gentleman came to take his horse away he would have to pay fifty cents per week, yet his horse never smelt, much less ate, any oats. Thus, you perceive, the evil example and influence of my master was the principal cause of my ruin.

These remarks are not prompted through a malicious or vindictive dispo-

sition. No, sir,—he treated me much better than he did his own daughters; and the only fault I blame him for is thus far allowing me to do as I pleased, and for not correcting me when I richly deserved it. When I went to live with him I was a simple and innocent child. I would neither lie nor steal. Yes, I hated a thief and a liar, and would flee from them as from a serpent, little thinking then that I was so soon to become one of their degraded number. My mother learned me to say, "Our Father, who art in heaven," and I really believed that I had a Heavenly Father; but the evil communications and pernicious example of my master and his associates, soon banished those good impressions from my mind; and, as I considered them my superiors in age and wisdom, I thought they were right when they said that the Bible was a priestly fabrication, and none but fools and lunatics believed it. \* \* \* \* \* Then they would have a hearty laugh. Finally, my ears being assailed continually by their sceptical sentiments, and not being able to disprove what they said, I adopted their principles and became an infidel. However, I was not altogether satisfied with my new creed; for sometimes my guilty conscience would force me to acknowledge that the Bible is true, and that the soul survives the body, notwithstanding I would make every effort to stifle this conviction. In a word, I rather *wished* than sincerely believed that the Scriptures were untrue; and I believe this to be the case with every other man who calls himself an infidel. Every sensible man will admit that there is a God (for it is the fool that says there is none), and that one of his moral attributes is justice, and that justice obliged him to establish laws or rules for the regulation of human conduct; that justice also constrains him to punish the transgressors of this law. Yet there are many who violate this law with impunity, in this world. What of that? Will they escape in the world to come? No, for we will all have to appear before the judgment seat of Christ; and we will be judged according to the deeds done in the body, whether they be good or bad.

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#### ART. VI.—CONVICT SEPARATION.

NOTWITHSTANDING the plainness and frequency with which the friends of convict separation have expressed their views, there is reason to believe that much misconception still prevails, even among candid inquirers. We feel constrained, therefore, to occupy a page or two of our limited space with a concise summary of what we suppose to be its leading features.

1. *It excludes only association with convicts.*—The company of the good and wise is invited and prized. The design of separation is to prevent evil communication. None will deny that an honest man in daily association with a rogue, has much more to fear as to the influence upon his own character, than he has to hope from his own influence upon his companion; and by parity of reasoning, a man at a certain grade of deteri-

oration is likely to sink still lower by association with a worse man than himself. The tendencies of both are downward, and that with a constantly accelerated velocity.

Now as the best convict is bad enough, we resort to separation as a safeguard against his being made worse, rather than better, by his imprisonment. Even were it admitted that no expectation of improving him can be reasonably entertained, it would still be inconsistent with wisdom and humanity to force him into the company of men worse than himself, and to push him down to still lower depths of depravity, by a process of law.

Further, it will hardly be pretended that convict-association is *necessary* under any circumstances, however convenient and economical it may be; nor is it affirmed on the other side, that convict-association is uniformly and necessarily mischievous. There may be found, in perhaps every large penitentiary in the country, two or more honest, well-disposed and possibly guileless men, whose influence over their fellow convicts would be not only harmless but useful. We presume advantage has often been taken of the presence of such men in separate prisons, and that they have been wisely used in furthering the true interests of the public. But these exceptions merely serve to show the soundness of the general principle, viz., that convicts, under sentence, should be kept separate and apart each from the other, so that the possibility of intercommunication or acquaintance with each other's name, number, features, figure, place of abode, business, or other personal or social relations may be cut off. There are doubtless various opinions as to the degree of desirableness of this non-intercourse, and as to the value of the results supposed to be secured by it, but with these we are not at present concerned.

II. When the convict is put into the cell of a separate prison, and secluded from the society of all other convicts in the same prison, it is the duty of the government to furnish such means of moral and physical treatment as his condition requires; and in whatever respects this separation demands or justifies a different method of treatment from that pursued in associate prisons; whether they relate to the term of confine-

ment; to the prisoner's health of body or mind; to the pecuniary economy of the prison, or to the ultimate results of the punishment,—such difference of method should be provided for. If a milder sentence, or a more thorough medical inspection, or more frequent relaxation, or more active employment, or more instruction, intellectual and moral, or more free association with the honest and well-disposed is required, there should be no reluctance or delay to supply any or all of them. Separation being the principle, all that is needful to give it proper effect and to avert any undesirable consequences, must be adopted with it, and if it is not worth this, let it be abandoned.

III. It is alleged, without any just ground we think, that convict-separation as practised, is injurious to body and mind. This objection applies, if at all, to its actual working, not to the theory. It is said, that practically a prisoner must associate with other prisoners, or have no association at all; and that to have no association at all, is to put the health of the natural and moral man to imminent hazard. But this depends on a variety of circumstances, such as the length of the sentence, the constitutional habits and tendencies of the prisoner, his education, his state of health when he is committed, his employment, and the surrounding influences,—which are all capable of endless modifications. To some it would be unsuited,—to others beneficial. Some would improve under it for a year or eighteen months, and some through three, five, or even seven years; while here and there one would show its deleterious influence in a few weeks or months.

The circumstances to which we have alluded are alike various and peculiar in a separate and in a congregate prison; and if the same methods of investigation were employed, it would be found that a want of due attention to these circumstances in a congregate prison, occasions quite as much mischief as has ever been traced to a prison on the separate plan. Nor are they (in themselves) any more susceptible of control or modification in one prison, than in the other; so that we may truly say, that there is nothing in the *principle* of convict-separation that excludes a single valuable feature of association, while it certainly does exclude much, that the advocates of association admit to be of evil tendency.

IV. If it could be shown that the necessary, natural, or even probable effects of convict-separation, upon the physical and mental condition of its subjects, were such as its opponents allege, we should not hesitate to condemn it as irrational and cruel. But our sober and long-settled conviction is, that this very feature—separation—gives it the distinction of being in the highest degree rational and humane. That it is open to gross abuses, we can all see, and that it is equally capable of indefinite improvement is not less obvious.

The legislature having defined with sufficient economy what are offences, and having prescribed the forms of ascertaining and the modes of punishing guilt, the tribunals of justice have only to administer these laws with intelligence and good faith, and when the convicted party is committed to the custody of those who are appointed to carry out their penal sanctions, (supposed to have been adjusted with due regard to the nature and mode of punishment,) it is in the confidence that while they yield a stern obedience to the law, they will at the same time give enlightened heed to the well being of the sufferer and to the ends of his imprisonment. To allow disease to make its stealthy progress through his system for want of proper hygienic arrangements, or the functions of nature to become weakened and deranged by his imprisonment or employment ; to apply no counteracting influences to the morbidly disposed, or to neglect a proper excitement to healthy action of the moral and intellectual faculties, so far as they may be capable of it, is manifestly unjust and inhuman. It is doing, under the forms of law, what all just laws, human and divine, forbid.

What then is the conclusion of the whole matter ?

1. That convict separation is an indispensable element of every system of prison-discipline, the predominant design of which is to reform the prisoner, or at least to prevent his further corruption.

2. That whatever is lost to convicts by separation one from the other, in the way of needful excitement to the faculties of body or mind, is or may be much more than made up by association with the honest and good.

3. That as the best gifts of Providence are oftentimes most

grievously perverted, so the best system of prison discipline is liable to abuses in the hands of ignorant or incompetent administrators:—not greater abuses, however, than have been, and are now, actually practised in associate prisons.

4. That it is the duty of the government to provide all needful facilities for executing its penal laws in such a manner, that the ends of justice shall be fully answered, the interests of the community protected, and the offender suffer no more than the exact penalty of the law. Any variance from this should be in his favor,—*never against him*. Society has nothing to gain, but much to lose by injustice towards even its enemies. It can well afford to be just, if not magnanimous.

#### ART. VII.—JAILS AND HOUSES OF CORRECTION IN MASSACHUSETTS.

THE annual abstract of returns of the keepers of jails, and the overseers of houses of correction in Massachusetts for 1850, contains some items of general interest, of which the following are prominent:

|                                     | Jails. | H. of Corr. | Total. |
|-------------------------------------|--------|-------------|--------|
| Whole number of Prisoners,          | 7463   | 3198        | 10,661 |
| "    "    Debtors,                  | 1461   | -           | 1,461  |
| "    "    Males,                    | 6674   | 2506        | 9,180  |
| "    "    Females,                  | 789    | 692         | 1,481  |
| "    "    Adults,                   | 6302   | 2660        | 8,962  |
| "    "    Minors,                   | 1161   | 458         | 1,619  |
| "    "    White,                    | 7196   | 2930        | 10,126 |
| "    "    Colored,                  | 267    | 268         | 535    |
| Committed for Murder,               | 15     | -           | 15     |
| "    for Arson,                     | 25     | -           | 25     |
| "    for Rape,                      | 6      | -           | 6      |
| "    for Highway Robbery,           | 19     | -           | 19     |
| "    for Adultery, or lewd conduct, | 132    | 160         | 292    |
| "    for Assault,                   | 845    | 290         | 1,135  |
| "    for Burglary,                  | 191    | -           | 191    |
| "    for Forgery,                   | 22     | 2           | 24     |
| "    for Intemperance,              | 1701   | 1640        | 3,341  |
| "    for keeping Brothels,          | 63     | 23          | 86     |
| "    for Larceny,                   | 1018   | 582         | 1,600  |
| Making or passing counter. money,   | 21     | 3           | 24     |

|                                                                  | Jails.      | H. of Corr. | Total.       |
|------------------------------------------------------------------|-------------|-------------|--------------|
| Committed for Vagrancy, - - -                                    | 83          | 162         | 245          |
| " for all other Crimes, - - -                                    | 1416        | 341         | 1,757        |
| Witnesses committed, - - -                                       | 491         | -           | 491          |
| Prisoners executed, - - -                                        | 2           | -           | 2            |
| Could Read or Write, - - -                                       | 1435        | 2098        | 3,533        |
| Had been addicted to Intemperance,                               | 872         | 2273        | 3,145        |
| Natives of this State, - - -                                     | 741         | 805         | 1,546        |
| Natives of other States, - - -                                   | 274         | 558         | 832          |
| Natives of other Countries, - - -                                | 4059        | 1795        | 5,854        |
| Were or had been Married, - - -                                  | 828         | 1573        | 2,401        |
| Insane when committed, - - -                                     | 11          | 12          | 23           |
| Average cost of the Board of each prisoner per week, - - -       | \$1 68      | \$1 65 3-7  | \$1 66 10-14 |
| Expense for Clothing, - - -                                      | \$662 04    | \$4,622 74  | \$5,284 78   |
| " for Fuel, - - -                                                | \$1,509 94  | \$4,018 36  | \$5,528 30   |
| Pay of Officers, - - -                                           | \$4,369 20  | \$11,722 00 | \$16,091 20  |
| Total Expenses, - - -                                            | \$28,174 52 | \$74,096 81 | \$102,271 33 |
| Estimated value of the Labor of Prisoners during the year, - - - | -           | \$22,312 04 | \$22,312 04  |
| Number of Prisoners in confinement, November 1st, - - -          | 322         | 790         | 1112         |
| Average number of Prisoners, - - -                               | 284         | 719         | 1003         |
| Discharged by order of Court, - - -                              | 865         | -           | 865          |
| Discharged without bill, - - -                                   | 35          | -           | 35           |
| Discharged on account of sickness, - - -                         | 1           | 24          | 25           |
| Pardoned, - - -                                                  | -           | 157         | 157          |
| Recommitted, - - -                                               | 202         | 803         | 1005         |
| Number of rooms, - - -                                           | 420         | 990         | 1410         |

Our readers will of course note such items in this summary, as fall in with the particular current of their own inquiries. But we cannot refrain from remarking upon two or three of them.

1. The small proportion of those who could neither read nor write. If we are to understand that of the ten thousand six hundred and sixty-one persons, more than seven thousand were instructed in reading and writing, so far at least as to make these acquirements a source of some improvement or profit, we should regard it as quite worthy of remark.

2. The small proportion of persons addicted to intemperance. If we are to understand by that phraseology, that of the ten thousand six hundred and sixty-one prisoners, upwards of seven thousand five hundred were temperate men in the present acceptation of that term, we should think this also quite worthy of remark.

3. Both the above statements are rendered still more remarkable from the fact, that of the same ten thousand six hundred and sixty-one persons, five thousand eight hundred and fifty-four, or considerably more than half, were natives of foreign lands. A moment's reflection will satisfy any one that such a return cannot be received with perfect confidence, unless it is sustained by indisputable authority.

4. We think the average cost of the support of prisoners is very great. If we understand the report, it is \$1 66 per week for mere rations, exclusive of clothing, medical aid, fuel, salaries, &c. The rations of prisoners in the New York Penitentiaries are but little above one-third that sum, and the highest we know, does not equal it.

5. It will be seen that Houses of Correction are very far from paying their way. It has been supposed that it would not be difficult to make such institutions self-sustaining, if proper legislative provision were made, and a rigid system of industry and economy practised in them. But it seems that only about thirty-two per cent. of the expenses of the Massachusetts Houses of Correction was paid; and with an average number of only one thousand and three in confinement, in both jails and houses of correction, the balance against the public is about \$80,000.

6. The number of recommitments to jail is nearly as one in thirty-seven, and the number of recommitments to houses of correction is nearly as one in four; yet in the former there is leisure, and in the latter there is labor. There may be ways of explaining this apparent peculiarity, by some corresponding peculiarity in the nature or operation of the laws, but it certainly does not speak well for the reformatory or deterring influences of the houses of correction, that so large a proportion of those who have been under them, are returned for farther treatment.

We apprehend that great and radical improvements are required in establishments of this class, before they can be relied upon as effective agents for punishment or reformation.

S H O R T   N O T I C E S .

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*Special Report of the Warden of the Ohio Penitentiary on Prisons and Prison Discipline, made to the General Assembly of that State, January 27, 1851.*

A friend in Cincinnati has been kind enough to forward to us a copy of this document, for which he will accept our thanks.

Disposed as we are to pay great deference to the opinions of practical men on practical subjects, we cannot but regret the necessity that is laid upon us to deny all such deference to the document before us. We do not doubt the good intentions of the author, nor that he means to take, and really supposes he has taken, a very impartial and comprehensive view of the whole subject; but for any man at this day to begin a comparison of the Pennsylvania and Auburn discipline, by defining the former as "the solitary system, where convicts are kept in solitary confinement, seeing no persons but their keepers," is to advertise his unfitness for any such task. The partial and confused statements which the author has put together, and the wide inferences he draws from very narrow premises, must strike any intelligent reader; and if it were not that the subject lies beyond the range of the observation or inquiry of most legislators, we might wonder how a document so crude and ill-digested could have found its way even through the wide and unguarded door which opens into most of our government printing offices.

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**DEAF AND DUMB.**—An asylum for the deaf and dumb is about to be established in Missouri. Forty acres of land has been appropriated for the site near Fulton, in Calloway County. The sum of \$80 is to be allowed for each pupil's instruction, &c., but no pupil is to be a beneficiary to the amount of more than \$240 of the public money, or three years support. The commissioners or managers of the asylum are required to give bonds of \$5,000 each.

The 35th Annual Report of the Deaf and Dumb Asylum at Hartford, (Conn.,) shows the institution to be in a flourishing state. It is the oldest institution of the kind in the United States. The number of pupils last year was two hundred and four; teachers twelve. Only one death occurred.

A convention of the instructors of the Deaf and Dumb in American institutions, is to be held at Hartford, August 27, and much advantage is anticipated from it.

**PAUPERISM IN MASSACHUSETTS.**—The net expenses to Massachusetts last year of supporting and relieving paupers, including interest on almshouse establishments, was but little short of half a million of dollars! The whole number supported or relieved was twenty-six thousand, of whom less than eight thousand had any legal settlement within the State. The number of State paupers, (or persons with whose support no town could be legally charged,) was a little over sixteen thousand; and of these, twelve thousand three hundred and thirty-four, (or more than three-fourths) were from foreign countries, and ten thousand eight hundred and sixteen from England and Ireland. There are two hundred and four almshouses in the State, and connected with them all, are twenty thousand six hundred acres of land. The investment in these establishments is estimated at one million and a quarter. The average cost per week of supporting each pauper in the almshouses is \$1 08; the lowest being ninety cents, and the highest \$1 35. A little less than half of the paupers in the almshouses are of ability to labor, and the value of their labor amounted last year to a little less than \$18,000, or about \$3 a year to each able bodied pauper. The number of out-of-door paupers aided or supported during the year was thirteen thousand seven hundred and fifty-seven, or considerably more than half the whole pauper population, at an average weekly cost of ninety-eight, or only ten cents less than the in-door paupers.

Of the whole number of paupers relieved or supported, six hundred and seventy-six were insane, and three hundred and ninety were idiots. The number of paupers made so by intemperance in themselves or others, is fourteen thousand six hundred and seventy-four! Eighteen hundred and ninety-one foreign paupers came into the State during the year.

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**MAINE.**—The legislature of Maine has appropriated \$25,000 for repairing the State Hospital for the Insane, and \$9,000 for the repair of the Penitentiary, both damaged by fire; also \$20,000 for the establishment of a State Reform School.

The liberal sum of \$25,000 has been bequeathed by a private benefactor to the State of New Hampshire for the benefit of the Insane Asylum.

**CHILDREN'S HOSPITAL.**—A hospital is about to be established in London, containing a hundred beds for poor sick children between two and ten years of age. The first hospital of the kind was established in Paris, about twelve years ago, and now there are said to be seventeen such institutions on the continent.

**IDIOT ASYLUM.**—The Third Anniversary of the London Asylum for idiots, was held March 19, 1851. The asylum contains one hundred and forty-seven patients, and is full. It was reported that \$45,000 would be required for the erection of more spacious accommodations, and of this sum £2500, (\$12,000) were subscribed on the spot.

VOL. VI.

TERMS:—ONE DOLLAR A YEAR IN ADVANCE.

NO. IV.

THE  
PENNSYLVANIA JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

PUBLISHED QUARTERLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR ALLEVIATING  
THE MISERIES OF PUBLIC PRISONS," INSTITUTED 1787.

"The separation of one prisoner from another is the only sound basis on which a reformatory (prison) discipline can be established with any reasonable hope of success.—*Fifth Report of Inspectors of English Prisons.*

OCTOBER, 1851.

PHILADELPHIA:

E. C. AND J. BIDDLE,

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## CONTENTS OF NO. IV.

|                                                                                      |     |
|--------------------------------------------------------------------------------------|-----|
| <b>ART. I.—Restraint and Reformation of Children Disposed to Vagrancy and Crime,</b> | 179 |
| II.—Prison Reform in New Jersey,                                                     | 192 |
| III.—After Crime and Before Crime,                                                   | 201 |
| IV.—The Rough House of Hamburg,                                                      | 205 |
| V.—Diseases and Deaths in London in 1850,                                            | 209 |
| VI.—Discharged Prisoners,                                                            | 212 |

### NOTICES.

|                                                            |     |
|------------------------------------------------------------|-----|
| <b>Statistics of Crime in France,</b>                      | 216 |
| <b>Nativity of Crime in Boston.—Soothing Syrups,</b>       | 217 |
| <b>Pauperism and War.—Results of Intemperance,</b>         | 218 |
| <b>Asylum for Vagrant Boys.—Intemperance a Heavy Yoke,</b> | 219 |
| <b>New York Prisons,</b>                                   | 220 |

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### IMPORTANT AND VALUABLE DOCUMENTS.

*The Seventeenth Report of the Eastern State Penitentiary.*—A few copies of this document, which includes the elaborate tables of the medical officer—showing the sanitary condition of the institution from its commencement.

#### ALSO,

Numbers 1 and 2 of volume I. of this Journal—the first containing a Review of the History of Penal Legislation in Pennsylvania, and several plates, illustrative of prison architecture; and the second containing a beautiful steel portrait of Mrs. Elizabeth Fry, and a view of the New Prison at Pentonville, near London, and an account of its discipline and results.

Either of the above may be had on application to any member of the Acting Committee.

### NOTICE.

Communications and orders for this work, may be addressed "Editor of the *Journal of Prison Discipline*," care of the publishers, No. 6, South Fifth Street, Philadelphia.

Officers of State, Inspectors, or Wardens of Penitentiaries, Keepers of Common Gaols, Houses of Correction, &c., Superintendents or Physicians of Insane Asylums, (whether public or private, and whether for paupers or pay-patients,) officers of Houses of Refuge, Police Magistrates, and others who may be in possession of, or have access to reports or other documents bearing on prison discipline, insanity, juvenile delinquency, police regulations, pauperism, &c., &c., will confer a particular favour by forwarding to the above office copies of such publications for use or notice in this Journal. All such attentions will be gratefully acknowledged, and cheerfully reciprocated.

### NOTICE OF THIS JOURNAL.

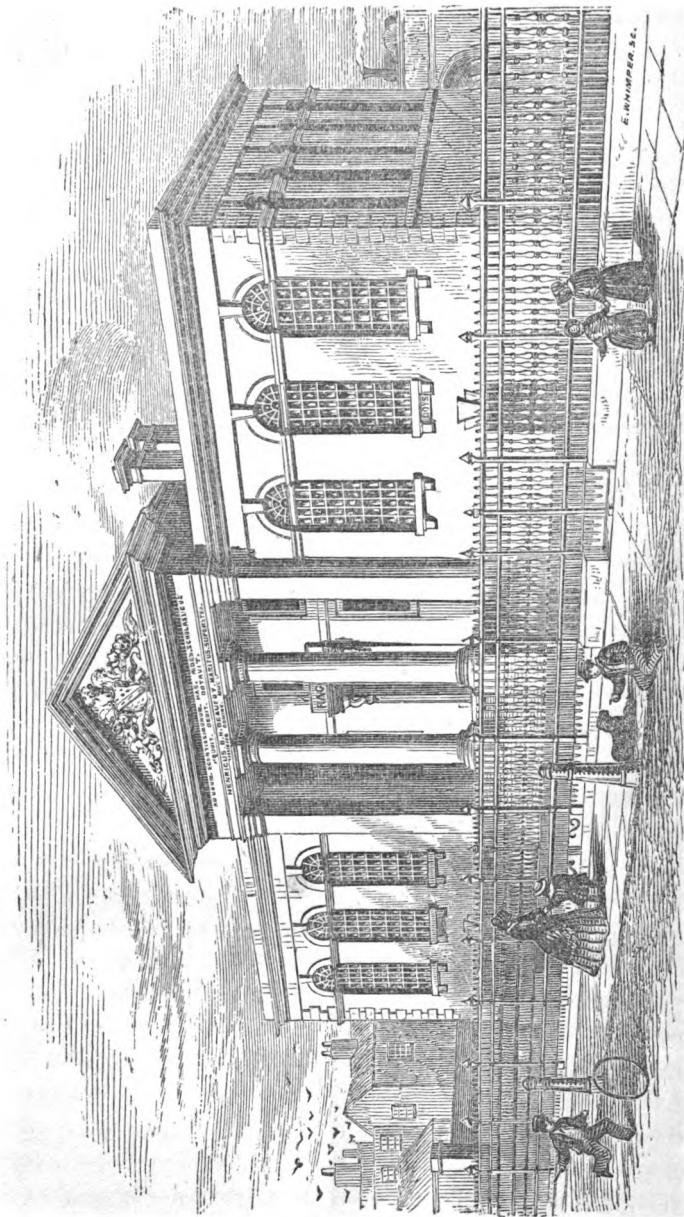
"It embodies more information on the subject of prisons, arranged and expressed in the spirit of literature and science, than any other publication of our country, and will compare with any Journal devoted to this department of knowledge in Europe."—*Hon. Charles Sumner's Speech, in debate on prison question in Boston, May, 1847.*

### RECENT NOTICES.

#### *From the North American and United States' Gazette.*

We have received from Messrs. E. C. & J. Biddle the last number of the Pennsylvania Journal of Prison Discipline, which is published quarterly, under the direction of the Philadelphia Society for alleviating the Miseries of Public Prisons. A glance through its pages shows what is well understood—that it is a  
(See 3d page of Cover.)





FRONT VIEW OF MRS. BEAUVOIS'S CHARITY SCHOOL AT LAMBETH, (ENG.) P. 169.

O C T O B E R , 1 8 5 1 .

V O L . VI.—N O . IV.

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A B T . I.—R E S T R A I N T A N D R E F O R M A T I O N O F C H I L D R E N D I S -  
P O S E D T O V A G R A N C Y A N D C R I M E .

To THOSE who are familiar with the details of crime and pauperism, and especially with the prolific sources of both, it seems almost impossible to exaggerate the importance of early habits. A great proportion of the disease, poverty, insanity and crime which we witness, results from something done that ought not to have been done, or something left undone that ought to have been done in the infancy, childhood, or youth of the suffering or guilty parties. And though we cannot exonerate them from a due responsibility for their own acts, nor transfer any portion of their guilt to those who neglected or misled them, we are interested in preventing the like consequences in other cases, and, of course, in the character and efficiency of any means of correcting or counteracting the wayward tendencies of youth.

It is confidently asserted that crime is much more frequent among persons under age than it was ten years ago. It may be so. It would not make at all against the importance or efficiency of existing preventive measures, if it were so. The increase can be more than accounted for in the incoming of a population, from foreign shores, for whose training our institutions are not accountable. Of 3,000 and more foreigners landing at New York in a single day, within the last month, at least one-third were minors, and a large portion of these being ignorant and vicious, and exposed to the manifold temptations which poverty and opportunity and roving habits supply, it will not surprise us to know that this single accession to our population

furnishes fifty names to our criminal dockets, nor that the 193,000 who have arrived at the same port in the first eight months of 1851, turns out nearly the same ratio.

If, therefore, it were proved, out and out, that juvenile crime has increased among us, it would not in the least lessen our confidence in the preventive efficiency of right education, nor in the value of our existing institutions for the correction of criminally-disposed youth. On the contrary, we should be prompted to urge, with more earnestness, the increase and improvement of them, by the conviction that, unless these means are plied with diligence and skill, crime will become rampant, and our streets will be filled with rapine and violence.

That the design of houses of Refuge, or Reformation for juvenile delinquents, is not understood, nor their perfection appreciated, is evident from the paucity of such institutions, and from the views which are entertained and expressed by those who object to them.

So far as we know, only four, or at most, five of the thirty-one States in our Union have an institution for the correction of juvenile delinquents. A late attempt to secure the establishment of one in New Jersey failed, and the debates and discussions which it excited called out various opinions on the subject generally, which are worth a passing consideration. How far the main question was affected by political currents, we have no means of determining, though we are fully aware that the best schemes of philanthropy are often submerged in those dirty and turbulent waters.

An Executive message having urged the measure, a bill was passed by the Legislature appointing Commissioners to select "a suitable site on which to erect buildings, to be called the New Jersey House of Refuge, in which may be kept employed, and instructed, such persons as may have been convicted of crimes by the courts, or who have been arrested as vagrants, or whose parents or guardians may desire their being committed to the institution hereby authorized to be created," and appropriating a sum not exceeding \$15,000 towards carrying out the scheme. A site, allowed on all hands to be eligible and cheap, was secured; a plan prepared and approved, and contracts made for a

considerable proportion of the materials and labour. At this juncture the work was arrested by order of the Legislature, and a committee of one from each county in the State was appointed to examine and report on the condition of affairs.

A majority of said committee were of opinion that the probable cost of the establishment would far exceed the anticipations of those who passed the bill, and that the act would not have been passed had there existed the least suspicion that \$100,000 would have been necessary to complete the work. They admitted that the advantages of a House of Refuge are quite as great as they are represented to be, but they think (1.) That the creation of such an institution by single counties who feel the need of one, or by the union of two or more adjoining counties, would answer the same purpose, while the expense would be more equitably arranged, and the counties which have no young rogues would thus avoid a tax in aid of those which are less favored. (2.) That having such establishments near by would save the expense of transporting delinquents over long distances. (3.) That if county Houses of Refuge were established, the persons who would have charge of them would be more likely to know the dispositions, habits and faults of the offenders, from living within the same neighborhood, and so they could adapt the treatment more skilfully. (4.) That if a House of Refuge is opened in the near vicinity of the offenders, the influence of relatives and friends might be employed to aid the corrective discipline. And (5.) That those who had the expense of the erection would then also have the benefit. It was, moreover, urged against the completion of the work, that what money the State can spare had better be expended on free schools, by means of which the necessity of a House of Refuge will be obviated.

The minority of the committee reported that an appropriation of \$30,000, in addition to the \$15,000, would enable the Commissioners to finish the buildings for the accommodation of ninety-six inmates with the necessary attendants, and they estimate the loss to the State, which would arise from an abandonment of the plan, at about the same sum. They admitted the force of what the majority members say of the importance of

schools, but insisted that all the aid they require can be afforded, and yet leave ample means to build the Refuge. They cannot however "concur with the majority of the committee in the opinion that the several counties should attempt the attainment of the ends proposed, and which are admitted to be praiseworthy and desirable. Leaving out of view the fact, which we assume to be incontrovertible," they say, "that the aggregate expense of erecting and properly furnishing the necessary buildings, together with the salaries of the persons who would be required to superintend these establishments which, though containing but few inmates, will, for that very reason, if properly managed, be vastly more expensive in proportion than can possibly be the case in an extensive central institution; we venture to express the opinion that the youth who are the proper subjects for the discipline of a House of Refuge, ought to be removed from the vicinity and influence of their companions in vice and crime. Hence we consider the argument of the majority to be based upon an untenable position, and one which is in direct opposition to the principle which lies at the very foundation of the whole system of prison discipline as it is now generally administered, and from which the ideas establishing Houses of Refuge and their kindred institutions are naturally derived. The influence of parents and relatives, so pathetically invoked in the report of the majority of the committee, is, in a vast majority of cases, especially to be deprecated. The precocious development of evil passions and vicious habits may not unfrequently be traced directly to parental example and to the contaminating influence of constant association with depraved relatives and companions. A very large proportion of those who are proper subjects for the restraints of this institution are orphans, either literally or by the operation of our criminal laws, which have consigned their natural protectors to the cells of a prison. We are impelled by a conscientious conviction of the responsibilities resting upon us as philanthropists, as Christians, as good citizens and lovers of our country, to say to your honorable body, that the State should assume the parental relation, and that considerations of State policy, no less than those of humanity, should induce us, the almoners of her bounty,

to provide, from her treasury, the means of instructing and saving her otherwise friendless children."

These are certainly very humane and sensible views, and such as one would think must make an impression on the minds of intelligent legislators; but the voice of the majority of the committee prevailed, and of course New Jersey must wait awhile for a House of Refuge.

We hope they will take advantage of the interval to procure an accurate return of the number of offenders apprehended in the different counties of the State, with their age, education, crime, &c., so that the present stock of materials for such a wholesome discipline may be ascertained, and that school-masters may have a proper view of the reformation that is expected at their hands.

We would also advise to a candid review of the system of discipline adopted in Houses of Refuge, in the hope that some valuable modifications may be suggested.

To aid, if we may, in so good a cause, we will submit a few points for consideration :

I. Is it not a radical defect to introduce into the same institution, and subject to the like discipline, youth of such various character? By the terms of the New Jersey act, three classes of minors are contemplated—

1. Such as are convicted of crimes by the courts;
2. Such as are arrested for vagrancy; and
3. Such as are committed at the desire of their parents or guardians.

It is not unlikely that from the first of these classes will come to the establishment as finished a villain as can be turned out of any penitentiary in the land. He may be a practical thief, an adroit burglar, or a daring incendiary; or his hands may even have been imbrued with his brother's blood. The crime of which he is convicted may be one of the most flagrant, and the circumstances among the most aggravated, and yet, because of his youth, he is committed to the guardianship of the House of Refuge, rather than to the custody of the State's prison.

At the same time, there comes from a magistrate's office a thoughtless, giddy boy, whose habits of truancy and irregularity

are too stubborn for a weak mother's nerves or muscles to cope with. He is honest, truthful, liked by the neighbors, and free from any suspicion of crime or outrage, or even of a propensity that way, but "the 'Squire" has advised to try him a while in the House of Refuge. She is told that it is a very fine place for refractory wills to be subdued, and so it is; that good fare, lodging, clothing, and schooling, are furnished for nothing; and so they are; that she will be freed from any care or anxiety about him; and so she will. No provision could better meet her exigencies; and a commitment is forthwith made out.

Now we think it is a radical evil to bring two such youths together in the same play-ground, dining-hall, shop, chapel and school-room, &c. To associate them in any form or degree, seems to be a violation of all received notions of moral discipline. As much more corrupting are the evil communications at that age than at a later period, so much the more desirable is it that the association which gives them place should be avoided. And yet where are they more likely to be introduced than into a House of Refuge which is used both as a prison for young convicts and as a school for wilful or vagrant children? Our first position then is that a House of Refuge, properly organized, should admit no class of inmates that it is unsafe or inexpedient to bring into daily and hourly association with the other classes of inmates. The good that *may* come under any other arrangement is too uncertain to compensate for the evil that *must* come.

II. Are not the occupations of the inmates of our Houses of Refuge generally such as are unlikely to be of advantage to them in after life? We are aware of the great difficulties which are experienced on this subject in such institutions. There are so few pursuits in which juvenile labour can be made available, and so few persons who are disposed to encounter trouble for the sake of the profit on such labour, that care-takers are often at their wits' end to know in what way to employ them. And we are aware, also, that the object of Refuge-labour is not to qualify the boys for a trade, but simply to train them to habits of industry, attention, punctuality and obedience, as preliminary to being indentured. But does it not

admit of some question whether these habits might not be secured in conjunction with employments better suited to the physical and moral circumstances of childhood? Is it certain that boys cannot be occupied, in the interval between ten and fifteen years of age, in some pursuit that will be more likely to promote their moral and physical development, as well as to qualify them for the business of life, than the trades that are now usually followed? Is it clear that agricultural labour can not find some place in the list of occupations?

If we are not mistaken, the disposition to indenture boys to farmers has always prevailed in these institutions. The idea is justly entertained that this mode of life is more free from temptations and more friendly to virtuous habits than any other; and if so, it is to be regretted that a taste for it should not be cultivated at the earliest practicable period. A boy who has sauntered about the streets and wharves and vicious resorts of a city and tasted the poisonous sweets of a roving and pleasure-seeking life till he is twelve or fourteen years old, is not likely to be weaned from such associations by two or three years involuntary service in the Refuge shops, at a business for which he has no inclination, and from which he knows he could not obtain a livelihood. And if at the end of this heartless and distasteful term of labour, he is indentured to a good, honest farmer, the chances are very much against his entering with spirit upon what will seem to him the dull and monotonous round of agricultural labour. To suppose that he will apply himself with zeal to farm-work, with a view of making it the business of his life, and that he will strive to accumulate something with which to secure a little homestead of his own, is to suppose what is very rarely realized. We will venture to say that not one in ten of the Refuge boys in this country who have been indentured to farmers, are farmers now. We do not think this would have been the result had they been trained intelligently to agricultural labour from the age of ten, and been made familiar with various arts of practical husbandry.

We have not time nor space to follow out this suggestion, but we will venture the opinion that schools of reform, where out-of-door, or field labour has been the chief occupation of the

pupils, have secured advantages, avoided evils and obtained results which do not appear in the history of those institutions from which land-labour has been necessarily excluded. In this view, we could have wished that, previous to the investment of so large a sum in the erection of a new Refuge for white children in our own city, the principles on which our present Refuge system is conducted were more fully examined and discussed. We shall not be considered as calling in question the vast benefits which have been conferred on the community by Houses of Refuge. The records of our own institution bear abundant testimony to the value of their reformatory and preventive influence. We regard our new Refuge for coloured children with unqualified favour and interest. But it would be strange if the observation and experience of a third of a century should have suggested no important defects or improvements; and that we have done well is a good reason (not for doing the same thing over again) but for trying to do better. And we cannot avoid the conviction that a discipline is practicable for juvenile offenders (technically speaking), which should be more wholesome, appropriate and efficient than that which now prevails, with far less resemblance to prison-architecture within and without, and far more appropriate employments for the inmates.

II. Is it practicable to obtain care-takers of our juvenile reformatory institutions that shall so unite the qualities of warden, parent, infant-school teacher and nurse, as to suit the great diversity of ages, classes and characters that are admitted?

We had intended to discuss, briefly, the qualifications of the officers of a House of Refuge, but our space does not allow of it, and it must suffice to say that much must depend on the spirits they have to control. If lusty youth, of the stature and strength of manhood, and skilled in offensive and defensive pugnastics, are to be brought in at the same door with truant school-children and petty pilferers of sugar plums and candy, it will be more than man can do to suit the discipline to the subjects. The elements of such a society are too incongruous to be subject to a common rule, and evil consequences are inevitable. If those alone are admitted whose decidedly vicious tendencies are only indicated, not developed, and whose habits

are in the gristle and not in the bone, there is a clear field for the most benevolent and successful effort. For such an institution we should require qualifications altogether different from those which would be desirable in officers of prisons. Nurses would be wanted rather than sentinels, and infant-school teachers rather than brave men or practised disciplinarians. As the children increase in stature and strength, their better dispositions would gain the ascendancy, and by the time they were formidable in physical power, they would be under the restraining influence of improved moral habits; and if trained in the elementary knowledge of some trade or business which could easily be pursued for a livelihood, they would be among the most desirable subjects of indentures, and the most promising candidates for usefulness and respectability.

If our Houses of Refuge for juvenile reformation were restricted to the admission of only such young children as we have just described, it is obvious that a large class of grown-up boys, and the very worst in the community,—whether we regard their personal depravity, their corrupting influence over others, or their readiness to become the cats-paws of older or more accomplished villains,—will be left to roam at large. If the discipline of the penitentiary is regarded as too severe for their time of life, that of the Refuge is certainly too mild, while their admission to the latter exposes inmates of tender years and comparatively innocent habits to corrupting and dangerous associations.

It is obvious, then, that we need an institution which shall wisely combine the rigour of strict prison discipline with the mildest form of personal restraint. It should be so constructed and governed as to allow of every variety of treatment which the physical or moral condition of its inmates should demand, though holding all in unrelenting subjection to order and government. We think the prevailing features of the Parkhurst (Eng.) Juvenile Prison would be admissible in such an institution as we have in view; and we should draw from such an institution as the “Rough House” of Hamburg, (of which we give a brief sketch in our present number,) some of the chief elements of its moral and physical economy.

In this connection we must advert to the importance of increased attention to the early *schooling* of neglected children.

Though it would be strictly within the province of our Journal, we have never called the attention of our readers, specially, to the efforts for the diffusion of knowledge and wholesome moral influences among the degraded children of London, and other populous cities of the British empire. The effect of these novel agencies in diminishing the amount of crime is too clearly marked and too well attested to admit of doubt. It is a rare thing to find a youth who has been brought fairly under the influence of wholesome school-discipline, occupying a place in any of our reformatory or penal institutions. The cases that do occur, though rare, are numerous enough to warn us against relying on education as a preventive of crime, while their infrequency encourages the most untiring efforts to give a sound intellectual and moral training to all classes, and especially to those classes that are most likely to be neglected by other agencies. It is our firm conviction, that a vast proportion of the detected crime in our country would be abated if the mass of the idle, neglected, and vagrant children were properly cared for. Many of our readers are probably quite unaware of the liberality of trans-Atlantic enterprises in this direction. It was considered, and justly too, a noble act on the part of sundry citizens of Philadelphia, a year or two since, to contribute thirty thousand dollars for the erection of half a dozen institutes for young men engaged in laborious branches of business—but we find a much more liberal provision made by a single individual, for a much less numerous, and apparently far less important class of the population of London. Indeed, so surprising is this outlay of charity for the neediest and the lowliest, and so extraordinary the inducements to it, and so comprehensive the scale of operation, that we have resolved to make a more permanent record of it than a passing notice, and we are not without the hope that such an exhibition of benevolence will stimulate some of our own citizens to good devices for the like order of sufferers.

We take our description and illustrations from a foreign magazine.

## LAMBETH CHARITY SCHOOLS.

Whether the magnificence and the capaciousness of these schools, or the purposes to which they are to be devoted, be regarded, they undoubtedly are well calculated to make the ragged children, for whose use they are specially designed, look up with joyful hope to an institution, upon an exalted scale, designed to assist in rescuing them from their present state of degradation and helplessness.

The engravings which are inserted in the present number, representing the front elevation and ground plan of the Lambeth Ragged Schools, will assist our readers in forming a clear conception of the nature and extent of these buildings, and of the commendable munificence of H. B. H. Beaufoy, Esq., F. R. S., by whom they were erected as an enduring memorial of his deceased lady, whose sympathy and benevolence had been previously drawn forth towards the education of the poorest children of the neighborhood, and for whom she had purposed in her heart to make some lasting provision.

The following facts may serve to explain the rise and progress of the present erection. In 1845, a few of the destitute and degraded children belonging to a class below the level of those for whom instruction is provided in the ordinary methods, were assembled on Sabbath evenings in the Palace-yard school-room, formerly used as the Welsh Chapel, (immediately facing the palace of the Archbishop of Canterbury) but for some time past devoted to the purposes of Sunday-school instruction. The numbers speedily increased to such an extent as to attract the attention of Lord Ashley and several of his benevolent associates, who formed themselves into a committee for the purpose of providing them with secular instruction during the week. The attendance continued to increase, till at length the Palace-yard school becoming too small for their accommodation, the South-western Railway Company kindly granted the use of one of their arches. About this time the movement excited the tender emotions of the late Mrs. Beaufoy, who rendered it considerable assistance by liberal contributions, but these were cut short by the decease of that lady. Her benevolent purpose, however, was not allowed to be defeated. As an enduring monument to the piety and virtues of this excellent lady, the noble structure indicated in our engraving, was erected by her generous husband at an expense of \$50,000; and a further sum of \$20,000 has been invested in the funds, by the same liberal founder, for the maintenance of the *building* in complete repair for all time. The children will be assembled on Sabbath evenings for religious instruction, and on five evenings in the week for a more general course of study. The sum which it is calculated the working of the schools will require is about \$1250 per annum.

The building may be truly said to be a striking ornament to the neighborhood in which it stands. It is situated in an obscure locality called Doughty street, Lambeth walk, contiguous to the South-western Railway, on a plot of ground till lately occupied as dust-yards; and in a district of the parish of Lambeth where thousands of the most ragged and neglected children reside, and where squalid poverty may be met with in every direction. It is of oblong construction, in the Doric style of architecture, with a noble facade and portico. Its centre is elevated, and on either side are extensive wings—the one on the right being appropriated to the use of the boys; and that on the left to the girls. The centre part of the building consists of two lofty stories; the principal entrance is approached by a flight of steps, and the whole of the exterior is surrounded with substantial iron railings. The rooms in the wings are spacious, well ventilated, and are at night bril-

liantly illuminated with gas, and warmed throughout by hot water pipes. The other rooms, of which there are four up-stairs as well as on the basement story, are of smaller dimensions, and some of them are fitted up with galleries for the reception and training of infants and the more juvenile portion of the scholars; while the others are designed for the accommodation and instruction of the senior scholars, a girls' sewing-class, and a committee-room. The entire building, including the out-offices and lavatories, with a large play-ground underneath, of the same extent as each school-room, occupies an area of more than 6,000, feet; and will altogether accommodate nearly ONE THOUSAND children. The schools will be open the whole of the week, and also on Sundays for religious worship and instruction. Immediately over the portico is an inscription in Latin, stating by whose munificent bounty the buildings were erected.

On the back of the building, and under the sculpture, are inscribed the characteristic lines from Shakspeare's *Othello* :—

“Those that do teach young babes,  
Do it with gentle means and easy tasks.”

While in the interior of the building, and over the doors leading to the boys' and girls' school-rooms, is the following inscription, in commemoration of Mr. Beaufoy's endowment, as well as in grateful remembrance of his departed lady :—

This Tablet  
Is erected by the Committee of  
The Lambeth Ragged Schools,  
As a grateful Record of the Munificence of  
**HENRY BENJAMIN HANBURY BEAUFROY, Esq.,**  
Of Caron-place, South Lambeth,

By whom these Schools have been Built and Endowed, and also in grateful remembrance of

ELIZA, his Wife, whose unspeakable private worth has here a fit Memorial, and whose benevolence and universal kindness to Poor Children, will live in the gratitude of generations who shall enjoy the benefit of these Schools.

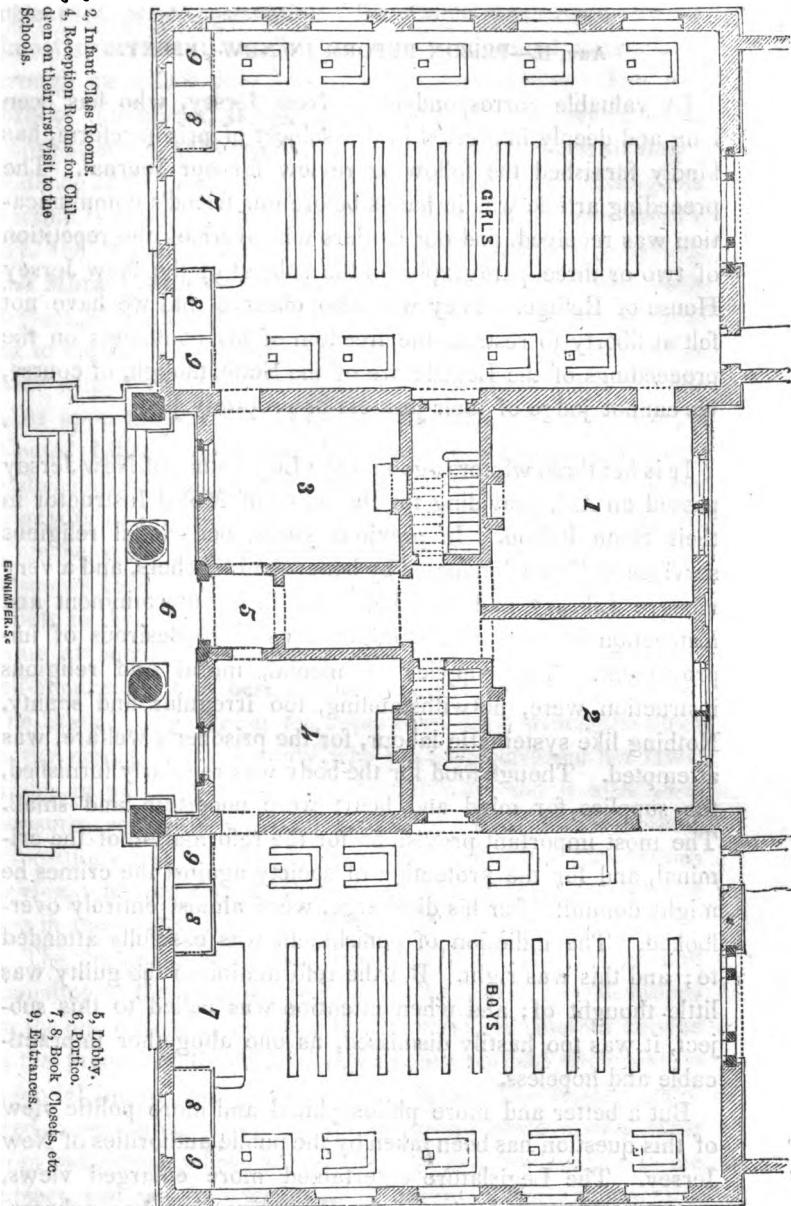
“She stretcheth out her hand to the poor; yea, she reacheth forth her hands to the needy.” “Children arise up and call her blessed.”

Proverbs chap. xxxi., v. 20th and 28th.

These schools were opened under the happiest auspices, on Wednesday, March the 5th, when the chair was occupied by the Right Hon. Lord Ashley, M. P.

1, 2, Infant Class Rooms.  
3, Reception Rooms for Children on their first visit to the Schools.

70  
60  
50  
40  
30  
20  
10



E. WHIPPER, Sc  
5, Lobby.  
6, Porch.  
7, 8, Book Closets, etc.  
9, Entrances.

## ART. II.—PRISON REFORM IN NEW JERSEY.

[A valuable correspondent in New Jersey, who has been long and deeply interested in the subject of prison-reform, has kindly furnished the following review for our Journal. The preceding article was in hands before our friend's communication was received, and our readers will overlook the repetition of two or three paragraphs on the subject of the New Jersey House of Refuge. They will also observe that we have not felt at liberty to restrict the freedom of his comments on the proceedings of the Legislature of the State, though, of course, we cannot judge of their justness or propriety.]

It is but three winters ago that the Legislature of New Jersey passed an Act, providing for the office of Moral Instructor in their State Prison. In previous years, occasional religious services had been conducted by benevolent teachers, and a very meagre Library had afforded some little entertainment and instruction to such of the convicts as were desirous of improvement. The supplies of mental, moral and religious instruction were, notwithstanding, too irregular and scanty. Nothing like systematic labour, for the prisoner's welfare, was attempted. Though food for the body was regularly furnished, the supplies for mind and heart were uncertain and small. The most important provisions for the reformation of the criminal, and for the protection of society against the crimes he might commit after his discharge, were almost entirely overlooked. The infliction of punishment was carefully attended to; and this was right. But the reformation of the guilty was little thought of; and when attention was called to this subject, it was too hastily dismissed, as one altogether impracticable and hopeless.

But a better and more philosophical and more politic view of this question has been taken by the public authorities of New Jersey. The Legislature entertained more enlarged views, and listened to the voice of the Executive, that was acknowledged to be no less patriotic than humane, as it gave utterance

to new sentiments and called for corresponding action on the subject of prison-instruction. Provision was made, by an almost unanimous vote, for the supply of sound instruction, through an officer duly appointed for the purpose. The Reports of this officer, as well as the general testimony of those whose attention has been directed to the subject, afford abundant evidence of the wisdom displayed by the Legislature. Religious worship is statedly held with all the prisoners on each Lord's day, and the sound lessons of Christian truth are imparted. The Moral Instructor forms a personal acquaintance with each convict, elicits his confidence, and administers counsel, according to the various dispositions and the individual casts of character with which he is brought into immediate contact. He takes upon himself the office of Librarian, and from a well selected Library, now numbering *nearly a thousand volumes*, he distributes books, each fortnight, to all the prisoners, studying to gratify individual tastes in regard to subjects and authors, while he seeks to direct the thoughts and sentiments of the prisoners to such works as best tend, in his judgment, to contribute to their happiness and substantial improvement. The value of such a systematic course, diligently carried out, is self-apparent. The best means of instruction are provided. The State is discharging an imperative duty, which she owes to the erring and the guilty who have transgressed her laws, while, in an indirect yet substantial way, she is also, in a measure, securing her own protection, by reforming their dispositions and fortifying them against renewed temptations to vice, when they shall be discharged, and again abroad and free in their intercourse with the world.

The improvements thus secured, in the instruction and discipline of the State prison, have led to further considerations on the one important question of a general reformatory change in the prisons of the State. A half century had witnessed no essential improvement in the County jails. The reports, gathered from convicts brought thence to the State prison, visits from individuals whose active attention had been called to the subject, and the free testimony of several County authorities, all went to show that a state of things was prevailing, in the

several County prisons, that called loudly for reformation. Prisoners were all in idleness, time hanging heavily on their hands, with no profitable relief to its unremitting irksomeness. The prisons were found to have been constructed generally with little reference to health or cleanliness, the *safe-keeping* of the inmates appearing to have been the sole idea in the mind of the builders. Clothing was almost universally seen to be such as was worn by the poor culprit at the time of his arrest—very generally ragged and filthy, with scanty means and little encouragement and no compulsion for its change. Mind and morals were running to waste. Books were rarely to be found within the prison walls, or if there found, they seldom were such as to impart any valuable instruction. Criminal was thrown into immediate contact with criminal, the old with the young, the more hardened with the less depraved, perhaps with those entirely innocent. In some instances, even the sexes were not kept separate. Vice was thus taught as in a school. Stories of crime, both real and fictitious, were related for the amusement of the idle. Familiarity with wickedness was, consequently, increased. In a word, the jails of the State were discovered to be a heavy expense to the Counties for the support of the idle and the profligate, and nurseries of crime, rather than houses of correction.

And for such a state of things there seems to have been no individual or official accountability. The evils of such a system, or rather the evils of prison contamination, where no system whatever prevails, were in New Jersey, as they are every where, quite apparent. But they seemed to be regarded as necessary evils, at least, as evils the correction of which belonged to nobody in particular, even if they were supposed to be in somebody's power. The jailer cannot exercise power in discipline beyond that which is granted to him by existing laws. He cannot provide for the government or comfort of those committed to his charge, unless supplies are furnished to his hands. He can work, in the labours of his office, only as the law puts facilities within his reach. The responsibility of defects which he cannot fail to see, but for the removal of which no means are at his disposal, does not then rest with

him. Are the County authorities responsible? In one sense they are. A body of officers in each County of New Jersey is known as "the Board of Chosen Freeholders." Two of this Board are elected annually from each township, and the number in each county may vary, consequently, from twelve to thirty, or upwards. With them is vested all needful power to re-construct County buildings or re-organise County institutions. A County Board can re-model their prison, place over it whatever officers they may deem necessary for its administration, and grant, from the treasury, whatever supplies are, in their judgment, dictated by sound policy or humanity. But the main difficulty, now-a-days, with public officers is, that they feel themselves so to be the servants of their constituents that they are ever tempted to hesitate and falter, lest by any new method of expenditure they may forfeit the good will and confidence of the *sovereign people*. They are apt to be slow and over-cautious in believing and adopting any new thing; and when admitting the value of a proposed improvement, they are ever questioning with themselves whether *the people* are prepared for its adoption. This apprehension throws the question of County prison reform one step further back. The people must be satisfied of its importance, so that they may be led to sustain the civil authorities in their efforts and appropriations—nay, they ought to be so informed as to require from their public servants the performance of whatever is necessary to secure, as far as possible, every needed civil, social and moral reformation.

It was with this prominent idea of informing and enlightening the public, on the subject of the prisons and their defects, that "*New Jersey Prison Reform Association*" was organised, a little more than two years ago. The *First Annual Report* of this Association has been already noticed in this Journal. It contains reports from *fourteen*, out of *nineteen*, counties. These reports were generally quite full, and they brought out a large amount of information, which has been published and spread before the people of the State. The result has already shown that the great *heart* of the State was well disposed toward the subject of which "the Report" so fully treats, and

that its *mind* required only the information which existing facts disclosed, to set it actively to work and in the right direction. A new jail had been constructed in Hudson County, and on an improved plan. But the populous and influential County of Essex has been the first to move and to bring its prison discipline very close to the utmost point of desired attainment. In no County were the evils, already referred to, more marked or pernicious. There were separate cells in which the prisoners were confined at night, with a miserable bed of straw, or no bed at all, as chance happened to arrange it. By day, the men and boys, without regard to their respective ages or colour, or decency of manners, were thrown together in a common hall—the women were on an open area above, with no restraint upon their conversation with the men below—clothing was generally ragged and filthy—ventilation was miserable—and, in fact, the whole prison was more aptly likened to a place for the herding of the brute creation, than to anything like a proper receptacle, even for the lowest of human kind. A gentleman of Newark, who had spent years of matured manhood in the city, expressed his amazement that such a place was to be found within a mile of his own dwelling. On a visit to the same offensive prison, three or four years ago, the visiter discovered an old man and a young boy on the stairs, at the end of the hall, in close conversation. Painful apprehension was felt as to the nature of their discourse. Before leaving the building, a successful attempt was made to gain the boy's ear, and, by careful questioning, the fact was elicited that his aged companion on the stairs was giving him instruction in the art of picking locks!

But a thorough revolution has been here accomplished. The Chosen Freeholders of the County were moved by the facts which the State Association had been instrumental in bringing to light. The venerable Director of the Board presented and pressed the subject on the attention of his colleagues. It was referred to a committee, for more minute examination. The committee, subsequently, reported favorably to a revolution in the whole arrangements and discipline of the jail. The facts and arguments laid before the Board were entirely conclusive. The work was entered upon with great unanimity and alacrity.

The examples furnished by some of the Counties of Connecticut were made available for efficiency and despatch in the work. A gentleman from Hartford, of large experience in prison government, was employed to superintend it. And now, the dirty old receptacle of the culprit, and the old seminary of vice, is transformed into an airy house of cleanliness, a house of industry, a house of order and discipline, a house where sound lessons of morality and religion are regularly imparted. We seldom see, any where, a body of industrious men in their workshop more comfortably dressed, or more cleanly. From no place are incentives to vice more entirely removed. Seldom are better opportunities furnished the laborious for reading, and receiving instruction. No where are men more forcibly taught the evils and folly of crime. The women, in a separate apartment, are no less busy than the men, no less attentively cared for, and no less studiously instructed. Order reigns, where confusion before prevailed—industry takes the place of idleness, and the means of reformation are abundantly and, it is believed, judiciously supplied.

In addition to these leading and most important changes, a change is likewise accomplished for the *pecuniary advantage* of the county. The newly adopted system has been in operation but three or four months, and we have not the accurate statistical information before us to enable us to speak of the comparative expense which the two different plans has imposed on the County. The support of the jail has hitherto been a charge upon the County of an annual amount varying from \$3000 to \$4000. Now, the burden on the treasury will be comparatively light. The men at their shoe-fitting and tailoring, and the women with their needles at plain sewing, must nearly, it is said, provide for their own support, as well as meet most, if not all, the costs of their prosecution. An argument for the change that has been accomplished is here supplied, that must reach a certain class of citizens that are not so easily moved by weightier considerations. The revolution is conceded, by all, to have been complete and triumphant—and the sister Counties of the State are free to acknowledge Essex as the strong and efficient leader in this important branch of State

reformation. Several of the County authorities are looking to Newark with the acknowledgment that *there* is to be found *the model prison*. Morris and Passaic, and Somerset, have already entered on the same work which, in Essex, has been brought to so triumphant a termination. But about a month since, delegations from the Chosen Freeholders of the Counties of Mercer and Burlington, in company with a few members of the Prison Reform Association, paid an official visit to the jail in Newark, where they witnessed the fulfilment of their highest expectations; and they are, doubtless, preparing themselves to speak out to their own citizens, in an eloquence of facts such as will leave its impress on the public mind and advance to a practical termination in their respective Counties the great object of Prison Reform, which they have so much at heart, and which they have now determined to take vigorously in hand.

From the foregoing hurried sketch, the reader will see how much has been accomplished in New Jersey, and in how short a time, in the most important yet long neglected cause of Prison Reformation. The results, already reached, show plainly how a moderate share of well directed effort may be made to tell upon the public sentiment of a community; and they show, further, the gratifying fact, that there are sound moral sensibilities in the hearts of our people, and that information carefully gathered and commended to the popular conscience, will meet with a ready ear and with an earnest practical response from the popular voice.

Another point, in the course of prison improvement, most devoutly desired and promptly sought by the Prison Reform Association of New Jersey, is that of some proper and adequate provision for the due punishment and government of juvenile offenders. To this topic the attention of the Association was directed at their first annual meeting. Its President, Gov. Haines, commended the subject to the notice of the Legislature. At the annual meeting, soon after held, the following resolution was unanimously adopted:

**"Resolved,** That early and efficient provision for the punishment and reformation of juvenile offenders, within this State, is demanded by sound

policy and enlightened humanity ; and that the members of this Association have noticed, with sincere gratification, that the subject has attracted the attention of the Executive and the Legislature of the State."

This resolution was then given in charge of a committee, composed of Mr. Thompson of Salem, Mr. Redmond of Mercer, and Mr. Gifford of Newark, with instructions to memorialise the Legislature on the subject to which it referred. The committee discharged their duty in a short, but pointed and effective address. This address sets forth that—

"It has long been a source of deep regret that so large a proportion of our criminals is found amongst the youth; and daily observation serves to impress upon us, most forcibly, the deep necessity for providing some more suitable plan for the punishment and reformation of juvenile offenders than now exists in New Jersey. From every County in the State, your committee believe, will be found instances of crime constantly occurring in children of both sexes, while the tender age of the delinquent renders it almost impossible for the courts to apply the present mode of punishment with effect.

"It is certainly a subject worthy the best efforts of the Christian and philanthropist, to redeem the fallen from degradation ; and enlightened statesmanship can surely neither find nor desire a higher motive or loftier ambition than to found an institution which may gather young criminals within its fold, and ere crime has struck deep its poison, arrest the disease and restore them to society, for a life of usefulness and virtue. In childhood we all know how easily impressions are made and not less easily removed. Contamination then may lie on the surface, and how strong is the policy which should urge a community to reclaim the juvenile delinquent, while the heart is susceptible of good impressions, and before the pollution of years becomes a part of his nature, and moral reformation almost hopeless. To do this, the mode of punishment should be adapted to his age and condition.

In the midst of such inciting examples to good, shall New Jersey fold her arms and wholly disregard the morals of the rising generation ? What nobler enterprise can engage her efforts ? Proud as New Jersey has reason to be of her early history, with no public debt to repress the energies or retard the onward career of her people, foremost in the works of philanthropy, unsurpassed in her literary institutions, let her follow the proud example of her sister States, and erect another monument for Jerseymen to contemplate with pride and admiration."

The memorial was favorably received. A bill, providing for the establishment of a *House of Refuge*, with an appropriation for the object, passed the Senate without a word of open opposition. It was unexpectedly discovered, however, that in the more popular branch of the Legislature, fancied difficulties had arisen. The State, though out of debt and with a large incoming revenue, needed its means for other purposes ! The

burden of the institution would press unequally upon the agricultural and the manufacturing Counties! The institution, when established, will prove an enormous expense to the State, and all in the vain effort to reform bad children, who (despite all the lessons of experience,) cannot be reformed after all! Such were the arguments that were unexpectedly started. They were, however, so satisfactorily answered, that the bill passed and became a law of the State. Commissioners were appointed to select the site, and then other Commissioners were provided for by the Governor's appointment, to adopt the proper plans, contract for the work and carry it forward. The first Commission, after extended and laborious examination, purchased *seventy-six* acres of well watered and well improved land, near the village of Kingston. The second Commission then visited the several similar institutions of the country, and rejecting what, on careful examination, they deemed unnecessary, and adopting every thing useful, they agreed, with architectural aid, upon their plan, and entered vigorously on their task. Before the task was accomplished, or the money appropriated had been expended, the Legislative year rolled round. The necessary and expected appropriation for completing the enterprise so auspiciously begun, was (we are grieved and ashamed as we record it,) most strangely and unwisely withheld. The old objections were revived. The common school system, it was urged in addition, required all the funds which the State could command—as though the *un-common* school, to be provided in a House of Refuge, would not accomplish a leading and most important part in the great cause of a sound and liberal education.

But all arguments and appeals were in vain. *Party spirit*, that bane in all moral and social questions, whenever it is permitted to enter, wrought the mischief. There were men in the House of Assembly who would gladly have seen the enterprise abandoned altogether, and the money already expended utterly sacrificed. But its security was found in the Senate, and the work is only delayed, not destroyed. It is believed, with the utmost confidence, that better counsels will prevail during the approaching winter, and that the good work which, through

popular ignorance and imagined party policy, has been shamefully interrupted, will be supplied with all necessary means, and that during another year it will be pushed forward to its completion. Intelligent individuals, of the two great political parties, have given open utterance to this impression, and its more zealous friends feel that confidence in the "sober second thought" of the people and their representatives, which renders them perfectly sanguine of the result. Party heat and a fancied party advantage may beguile and misguide for a season; but the right, in an enlightened community, will ultimately prevail, and the machinations of ignorance, timidity and selfishness, be put to nought.

The course of New Jersey, in regard to all questions involving her criminal jurisprudence, is *onward*, and will continue to be onward. The revolution is too important and too well begun to admit the idea that it will go backward. It is true that the body of the people are not as well informed as is to be desired, nor as well informed as they should be on the subject of their prisons, of what is due on the score of humanity to the convict, and of what is due on the score of safety to themselves. Yet there are wise heads and true hearts in different sections of the State, that are awake and warm to the awaking questions which the subject involves. They have every thing to encourage them in the progress which a brief space of two years has produced; and we think we do not predict too hastily or too partially, when we express our earnest conviction that, in a very few brief years more, New Jersey will present an example, in her prisons and in their discipline, that will prove worthy of imitation by the most enlightened sections of the world.

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**ART. III.—AFTER CRIME AND BEFORE CRIME.**

[We transfer to our pages the following article—from a London Magazine—in the hope that so vivid a picture of an unquestionable (though perhaps, in this article, an exaggerated) incon-

VOL. VI.—26

sistency witnessed oftentimes in our own land, will excite the attention of philanthropists, and lead to devices as extensive and liberal for the preservation of the criminally disposed, as for the punishment of the convicted.]

Of the many curious and painful contrasts to be encountered in this great city of contrasts, few are more striking to the senses, more repugnant to correct feeling, and more pregnant with important consequences, than the treatment which the criminal population receives from government and from society respectively, before and after crime. It was recently my fortune to see this contrast in one of its boldest forms; and with an interval of time, between the witnessing of one extreme and the other, so brief, that none of its features could be lost in the pause.

After crime, the modern outcast is an outcast no longer. Magistrates and other high functionaries become interested about him. The public are called together to witness his trial. He becomes a topic for the press. Grave judges and busy juries inquire into the vicissitudes of his career. For a day, at least, he is the hero of a court of justice. His name and history are placed on the records of the nation. A place is prepared for his reception. Pentonville Prison—built for the accommodation of 500 prisoners, and occupied by a usual average of 450—cost more than £100,000, and its general economy is regulated on a similar scale. Including interest on the first outlay and ground-rent, the yearly expense of its maintenance is not less than £22,000. This sum, divided among the average of 450 inmates, would give nearly £50 as the cost of each criminal per annum in the jail.

At this expense to the public, the man is lodged in a commodious room, about the size of a small parlor in the houses of the middle classes, ventilated on the most approved principles of science, and supplied with streams of warm air and cool air by machinery so nicely adjusted, that for months the temperature does not vary more than a degree or two. The room is furnished with stools and tables, very excellent beds, water basin—which, by a judicious contrivance, is supplied at the discretion of the inmate with hot or cold water—and so forth.

The diet is worthy of the lodging—plentiful in quantity, well cooked and served, and excellent in point of quality. Without exertion of his own, the Pentonville prisoner is sure of a good dinner every day to eat, and a snug bed to sleep on every night. He has mental advantages equal to these material ones. A library is provided for his use, and books belong of right to the furniture of his cell. A school and four schoolmasters are pro-

vided and paid to cultivate his mind ; a chapel is erected, and two clergymen engaged to look after his morals. Archbishops and ministers of the crown think it needful to visit him at times, and press and parliament manifest the liveliest interest in his condition. Now look on the other picture !

I describe only what I know and what I saw. Visiting the Field Lane Ragged Schools, and talking with some of the homeless savages who wander about our streets, I was told that an attempt was in progress to provide a refuge for such abandoned youths or children as come to the school in the day, but have nowhere to go at night.

I at once went to see the place in which this dormitory is set up. I am familiar with many of the worst parts of Paris, Liverpool, and Edinburgh—but I have seldom seen a place into which a stranger would go with more justifiable fear.

In the centre of a labyrinth of dark and crooked courts—courts into which the sunshine never comes—are a stack of most wretched cottages. One of these is the Refuge. The court itself is full of miserable objects—for naked poverty rather than rampant crime hives there—ragged and dirty urchins, pale and haggard women, and brutal and stunted men, in whose forms and faces scarcely a trace of human character is to be seen. The poor man who is placed in the Refuge to take care of the few coverlets and mattresses showed me over the dilapidated house. There are three rooms above the ground-floor, wretchedly small—not more, indeed, than ten feet by six or eight. In the attic the inmates sleep—in the next floor below, they eat—in the next, they work. The ground-floor is occupied by the man who is in charge and his wife. The stairs are narrow, worn, and broken—and not to be mounted without risk of a fall. All the rooms are bare—except the attic, in which four small mattresses lie on the floor—and some time in their past history they may have been lime-washed.

I had seen all these rooms without seeing the boys; on inquiring for them, I was told they were below at work. On my expressing a wish to see them, a candle was procured; and a low door was opened, leading to a dark and yet more dilapidated stair, down which we went into a hole, where we could do little more than crawl on our hands and feet—a hole, for having made which it could not be easy to divine the builder's purpose, but certainly it was never intended to be occupied by living creatures. The walls are bare brick, and have never yet been plastered or limed. There is no floor; the ground is a loose gravel-like soil, which exhales a damp, fetid smell. Two small holes let in a few faint rays of light into this kennel; so that when my eyes had become a little used to the place,

I could see the dusky forms of four young fellows, squatted down and employed in chopping wood. In this wretched kennel they earn at this labor the food which is given and the shelter which is afforded to them. I spoke to them all. They were very grateful for food and shelter even on such terms. Though frequently oppressed with pains in the head (who shall wonder?) they had entirely escaped cholera, even when people were falling victims to it on every side of them, a fact which they thought explained by their having something to eat regularly! To see them thus grateful for so little was the most painful thing of all. How sad a tale it told of the sufferings from which they had fled to the charities of the Dormitory.

I wish to make this statement simply and without comment—the contrast speaks most powerfully for itself. I will ask two questions, and conclude. When it is known to the castaway that any act of robbery would cause him to be removed from the hardships of Fox's Court to the comfortable quarters of Pentonville—is he undeserving of sympathy who has enough of untaught and native virtue to resist such a temptation? Is it wise or consistent in the State to lavish her vast resources on the offender after he has committed a crime—and yet to neglect him in that stage of his career when a little help, a little guidance, might save him from a life of depredation? Many a thing which passes by the name of heroism in the world is mean besides the courage that resists under such circumstances. Crime should not be formally recognized as the door which leads from the wretchedness of the cellar to the luxury of the saloon.

It may possibly seem to the reader that the contrast which this extract presents, is made much stronger than the facts will justify—that imprisonment under any circumstances is not so desirable a condition as it is made to appear, and that “the dormitory” must be represented as worse than it really is. But, after all reasonable allowance is made, does not this painful truth stare us in the face—that if half the excitement and sympathy could be enlisted in behalf of practicable efforts to prevent or check criminal propensities, that are exhibited when it is almost too late to attempt any thing—the whole face of the prison-world would be changed, and the highest aims of the philanthropist be soon, in a good measure, attained!

## ART. IV.—THE ROUGH HOUSE OF HAMBURG.

An American traveller furnishes the following description of an interesting and prosperous institution in Hamburg, which we transfer to our pages rather as a suggestion than as presenting a model for exact imitation. Our readers will readily perceive that the vivid fancy of the writer has imparted a warmth of coloring to his picture which would possibly be missed in the original. The substantial pictures of an admirable reformatory discipline can nevertheless be discerned, and may afford intimations and encouragements, to those who are seeking to enlighten the ignorant and reform the lowest grades of a vicious population.

“*The Rauhe Haus*,” of the city of Hamburg was established in 1833. The literal meaning of this appellation, as nearly as it can be given in English, is, “*The Rough House*,” or a House of Refuge for the rudest, most hopeless little vagabonds of beggary and vice that can be found in the lowest lanes and sewers of poverty and sin. In this institution, these young beings, whose every day of life has been a year of wretchedness and crime, are brought under the action of two cardinal principles—the law of kindness, and the influence of family society. As an illustration of the power of these principles, in transforming what would seem to be the very misletoes of humanity into trees bearing the best fruits of virtue, this institution is yet unequalled; although several of the kind have recently sprung up in different countries. A cursory glance at its history will suffice to delineate the principal features of its character.

On the 1st of November, 1833, J. H. Wichern, an earnest man, whose heart is a living gospel of Christian love to his kind, took possession, with his family, of a small, one story, straw-roofed house, fronting on a narrow lane leading out of the village of Horn, about three miles from Hamburg. This little building itself was a vagabond house; having been, what would be called a “*rum hole*”—a resort for the lowest and noisiest kind of drinkers and smokers. About an acre of land, covered with sprawling bushes, ditches, hillocks, &c., formed, with the smutty cottage, the foundation of the new institution, which was to solve another great problem in the mysteries of humanity. No great palace or prison-looking building had been erected by the State for this experiment of benevolence. None was contemplated or desired. From the beginning to the end, it was to be a cottage establishment; and this one by

the lane side, with its rum-seethed, tobacco-smoked walls, and roof of black, mouldering straw, was all the heroic founder asked, for the working out of his scheme of philanthropy.

After the lapse of a week, spent in purifying this little cottage and preparing it for a home for the little unfortunate beings who were to be gathered to its hearth, three were brought in from their lairs on the frosty pavement or door-stones of the city. In the course of a few weeks, fourteen of these young vagabonds were introduced, varying from five to eighteen years of age, yet all old in the experience of wretchedness and vice. Each had become a hardened veteran in some iniquitous practice or malicious disposition; and as such, had been pronounced or regarded as incorrigible. Nearly all of them had been left or trained to beggary, lying, stealing, and to every vicious habit.

One of these adepts in crime had been convicted by the police of ninety-three thefts; and yet he was only in his twelfth year! They had been treated or regarded as a species of human vermin, baffling the power of the authorities to suppress. They had slept under carts, in door-ways, herding with swine and cattle by night, when the begging or thieving hours were past. Such were the boys that found themselves looking at each other in wonder and surprise, the first evening they gathered around the hearth-stone of their new home. There was no illusion about this sudden transformation of their experience. There was that bland, benevolent man in their midst, with his kind eyes and voice looking and speaking to them as a father to his children. And there was his mother, with the law of kindness on her lips, in her looks, in every act and word; and he called her mother, and they called her mother; and the first evening of their common life, she became the mother of their love and veneration, and they—forsaken, hopeless cast-aways—became the children of her affection. As far as the east is from the west, was their past life to be separated from their future—to be cut off and forgotten. And this cottage, away from the city and its haunts, with its bright fire by night, and the little beds under the roof, with its great Bible and little psalm-books, was to be their home. And the great chestnut tree that thrust out its arms over it; and all the little trees, and the ditches, hillocks, and bushes of that acre were their own. Some hymns were sung after the frugal supper; and then the mother of the circle told them some nice stories with her kind voice; and the father, with his kind eyes, asked their advice about some plans he had in his mind for improving their farm. The feeling of home came warming into their hearts, like the emotions of a new existence, as he spoke to them, with his kind voice and eyes, of *our house*, of *our trees*,

of *our* cabbages, turnips, potatoes, pigs, and geese, and ducks, which *we* will grow for *our* comfort.

That night, the boys went up to their beds under the roof, wondering if all this would be real in the morning, or if they should wake up on the frosty door-stones of the city, or under the carts, and find it all a dream that they had experienced in the few hours of that new life. The morning came, and with its first ray of light, the kind eye and voice of their benefactor; and they gathered around the breakfast table, and then for a little while around the fire, and a hymn was sung; and then they all went out together to commence the work they had agreed on in the council at the fireside the night before. It had been unanimously voted that a sprawling wall of earth, half surrounding their garden, should come down first; and at it they went in earnest, with such tools as they had. And no small job was this for fourteen boys from five to eighteen years of age; for it was five hundred feet in length, and six in height and breadth. That first day's work was a triumph to them; and when they grouped around the fire at night, the ambition of new ideas came into their hearts. There were tools wanted for rooting out the briars and bushes, and there were boys of the circle that would undertake to make them. They went so far as to speak of making a tool-house; nay, even a shop, where they would work in stormy weather. The oldest boys were sure they could build it alone. At the end of the first week, they had made a year's progress in this new life, and its hopes and expectations. The earth-mound quickly disappeared; and the faith that they could do something, be something, and own something, grew daily within them. So eager did they become to accomplish this undertaking, says the first Report of this institution, that they frequently worked by lantern-light in the evening, rooting up bushes and trees, in spite of snow and rain.

The winter days and nights came, and when they could not prosecute their out-door work, their united genius contrived employment within. They were taught knitting and sewing, and other arts of domestic industry; and in the long winter evenings, after recreating an hour in reading, writing, or ciphering, they gathered into a circle on the floor—a little band of cross-legged tailors—and plied their needles of every size, on thick, coarse stockings, frocks, trowsers, &c., and some the awl on shoes, half wood and half leather, for the future inmates of their home, who might be brought in from such places as they themselves once inhabited. This was a work and a thought that brought kind feelings into their hearts; and many a one of the group wondered how such and such a boy, who used to cuddle down with him of a frosty night, on a door-

stone in the city, would feel in the frock or trowsers he had under way.

Then came the spring, with its music and beauty, and birds, and bees, and all things green and gladsome; and with it came to the boy-family of the *Rauhe Haus* a new life of labor, hope, expectation, and plans. During the winter, their number had increased; and their beds were too thick under the roof; and their ideas had taken a house-building turn during the winter evenings; and some of the older boys had tried their hands at the model of a cottage; and all had come to the faith that they could build a house large enough to live in. The plan was drawn out, first on the floor with chalk, then with ink on paper; and they longed for the winter to be gone, with its frost and ice, that they might break ground with their spades and picks for the cellar. As soon as the snow-banks disappeared, they fell to, with an ambition which took hold of the youngest of them, to build a house for themselves all alone. As soon as daylight came, and as long as it lasted, they were seen and heard at their labor. "On the 11th of March," says the first report, "the foundation of this, the first *Kinderhaus*, (*children house*,) was laid. All the earth-work on this 'Swiss house,' as it was named, had been performed by the boys. They dug the cellar, carted the bricks, prepared the mortar; and now the walls began to rise, and their joy to rise. Every boy, great or small, held on to the work, longer and later, until, on the 16th of April, the whole company hung a wreath of triumph on the gable of the house. A few more busy days, and the building was completed, and ready for the reception of the first colony from the old *Rauhe Häus*. It was hung from top to bottom with evergreens and wreaths of flowers; and, on the 20th of July, says the report, "on a bright Sabbath morning, it was dedicated, in the presence of several hundred friends, to the good Shepherd, through whose love and help already twenty-seven boys have taken up their residence therein."

This event opened a new chapter in the social economy and moral character of the institution. The affections, hopes, sympathies, and enjoyments of these boys all clustered around this family life. They had lived, labored, slept, eaten, and sung together for many happy months; they had built them a home together; and now they took possession of it with joy and exultation. An earnest young disciple of the law of love, who had come from a distance to discipline his heart and life to the regime of kindness, and who had lived in their midst as an elder brother, accompanied them to their new dwelling, to live with them still as a fatherly brother and companion in labor, study, play, and in all their enjoyments. Another young man, of the same spirit, entered the old hive, or *Rauhe Haus*, where

a new family of little vagabonds from different parts of the country began to form. In the course of time, this also colonized in the same way as the first, and took up their abode in a cottage-home, built mostly by their own hands, taught and assisted by the elder family of the "Swiss house."

Thus has this most interesting institution expanded gradually into a little cottage-village of boy-families, each having their own separate house and home; and their fatherly brother, a young man of twenty or twenty-five years of age. Having determined to visit this establishment, I walked out to it from Hamburg, a distance of about three miles, and was most kindly received by one of the young men of the institution. He took me through all the work-shops and dwelling-houses, their little chapel, the wash and drying-house, their printing-office, bake-house, &c. It was a truly beautiful spectacle, to see these young beings, once so hopeless, wretched, and vicious, now so full of hope and gladness. There they were, parcelled into little groups, busy at every species of utilitarian handicraft. They are all shoe-makers, tailors, black-smiths, carpenters, &c., by turns. For a certain length of time, a troop of them may be found mounted on shaving-horses, and showing themselves a brave little band of coopers; then they may be seen sitting cross-legged in a ring on a large platform, plying their needles on garments for the whole community, and for future comers. For it is the motive of this economy, not only to teach them all kinds of handicraft, but also to discipline their minds to the habit of working for each other.

There are now about seventy boys and twenty-five girls in this establishment, both sexes varying in age from eight to sixteen years.

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#### ART. VI.—DISEASES AND DEATHS IN LONDON IN 1850.

Our attention was drawn to this subject by a reference to the comparative mortality in prisons, poor houses, and hospitals, but we found sundry other items of interest connected with our main inquiry which we think worthy of record. The population of London exceeds two millions, and occupies an area of 115 square miles. The central or city district contains 374,000 souls on an area of two square miles. In the fifty-two weeks ending the 28th of December last, there were 48,579 deaths, viz: 24,449 or one in 42 males, and 24,130 or one in 48 females, being 319 more males than females—while the male births are

291 more than the female, showing that the actual difference in the numerical relation of the sexes, at the beginning and close of the year, was only 28!

Another remarkable fact is brought to view in the returns of the year.

"In the ten years, from 1840 to 1849, the average annual increase of population was 12,703; that increase for 1849, however, was only 4,230, or 8,473 under the average. Now, in 1850, there has been superadded to the population no less an amount than 26,738, and deducting the average of 10 previous years, (viz., 12,703,) we obtain the remarkable result that the excess of population over the average has been 14,035,—or, within a mere trifle, exactly the amount of deaths from cholera in 1849 (14,125).

"We should be sorry, (says a London paper,) to attribute particular results to a special Providence without good and justifiable reason, or to assign to the appointing Providence of God, what only belongs to the permissive. It is difficult, however, to contemplate such results as the above, without standing in awe of that governance of the world which in all departments appears to provide most strictly against waste, and which results, try as we may to account for it on what are called 'rational' principles, are sufficiently explained only where faith bows in reverence at the footstool of the Disposer of Events."

Among the principal diseases are the following: smallpox, 498; measles, 977; scarlatina, 1,178; whooping cough, 1,572; croup, 307; diarrhoea, 1,884; erysipelas, 344; tubercular diseases, 8,539;—of the brain, spinal marrow and senses, 5,965; of the heart and blood vessels, 1,965; of the lungs and other organs of respiration, 7,822; of the stomach, liver, and other organs of digestion, 2,955; privation, cold, and intemperance, 1,796, of which 1,511 are registered as the result of violence!

The deaths at the age of 15 and under were 21,371, or about 1 in 27 of the population at that age.

"The mortality in the workhouses or poorhouses of the metropolis during the year," says the same journal, "has amounted to 4,378, or to 1 in 22 of that part of the population; in hospitals, &c., to 3,271, or 1 in 14; and in prisons to 68, or 1 in 326. Now, among a certain class of our population, there is a sort of vague notion of this great disproportion between the mortality of workhouses and that of prisons; and, certainly, to look at the figures merely as here given, the wide difference between 1 death in every 22 inhabitants of a workhouse, and 1 death in 326 prisoners, it might be said, 'Better a prison than a workhouse!' This is, however, only an instance of the danger attaching to mere surface-statistics; for if the element of *age* be brought into the comparison between the two institutions, the mortality in each respectively is pretty well explained. The population of workhouses comprises a vast number of aged people, and also of infants, the two classes most exposed to disease; and besides which, among the adult population of the middle age they enter those establishments under physical conditions highly detrimental to health. Not so, however, with prisoners; the majority are, so to speak, in the flower of life as to age, and perhaps have not been the subjects

of half the reverses and miseries of those who inhabit our Union or almshouses. Still it may be worth inquiry, whether the discipline, employment, training, cleanliness, ventilation, and food, as administered in our metropolitan prisons, might not with advantage be introduced, under certain modifications, among our workhouse population."

We think the physical condition of a prison population is greatly overrated in this comparison. Though it is true that the aged and infant classes furnish a very large proportion of the public mortality, and that few of either of these classes are found in prisons, we cannot admit that the health of convicts (at least in our Philadelphia prisons,) is much, if any, better on an average than that of paupers of the same age and class in our almshouses. The life and habits of convicts are eminently prejudicial to health. The excitement in which they live, and the irregularities and excesses which are common to them, sink their physical condition far below that of the average of the human family. The tribute paid, in the above extract, to the excellent sanitary condition of the metropolitan prisons of England, we have no doubt, is well deserved, and goes to disprove the assertion so confidently made by the opponents of convict-separation there, and eagerly echoed by the same class of persons in our own country, that the system is inimical to health and life.

A survey of the diseases and mortality of such a mass of human beings as the population of London, naturally excites the inquiry, how much of this suffering and waste of life could be prevented by perfectly practicable attention to the dwellings and habits of the poor; by the supply of cheap but wholesome food, and by an abundance of water for all uses, which bodily health and the cleanliness of streets, dwellings, apparel and persons require. If it were in our power simply to withhold or intercept those provocatives of disease and degradation which the cupidity and oppression of what are called "the better classes" furnish, it would probably prevent three-fourths of the wretchedness and destitution which prevail in our cities. Hence, we heartily respond to the following suggestions of the London journalist, and commend them to our city missionaries, charitable societies, and all others who have at heart the health, comfort, and prosperity of those of our people who answer to what are called the "working classes" of London.

"If the people of Britain, and chiefly the working classes, will voluntarily tax themselves to the extent of fifty-seven millions of money yearly for brandy, rum, gin, beer, and tobacco, as is shown in a paper of Mr. Porter's, read before the last meeting of the British Association, then who is to blame that those same labouring classes live in hovels, become degenerate in physical condition, die ere their appointed time, and leave their progeny debased in moral character and enervated in physical strength? Among that class who are the supporters of gin-palaces and the nightly dwellers at the 'bar,' the endeavour is useless to entice them to a better or cleaner home; of all beasts the most beastly, they cling to their holes and hovels as 'like likes like.'

"That this state of things bears heavily on the question of mortality might be shown by comparing the average deaths among the provident classes who constitute the members of Life Assurance Offices, and that of the country generally; for Mr. Neison, the eminent actuary, says, that 'among the humbler provident classes who enrol themselves members of friendly societies of this country, there is experienced a prolonged duration of life above all others.' Highly important, then, as it may be that the sanitary condition of our towns should be sedulously cared for, it is yet clearly the duty of all that individual duties be not neglected, and that those ill conditions which are within the scope of every man's own effort to remove, and which tend to the development and growth of disease, be not saddled upon irresponsible commissioners, boards, governments, or bodies."

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#### ART. VII.—DISCHARGED PRISONERS.\*

Society claims the right to punish offenders against its well-being, and Christian principles demand that the punishment should be accompanied and followed with reformatory measures. To change the mind and habit of the man is, doubtless, a more difficult undertaking than to afflict or confine his body, and the one is of infinitely more importance than the other. Hence it appears to be necessary to follow the offender beyond the walls of the prison-house. The state of society, the condition of the discharged prisoner, require it. It is not the object of men in these days to take revenge upon erring individuals. Their reformation is desired. The language of Christian men to criminals is;—we want you to live holy, unblameably—to do your duty in that state of life to which God has called you.

If this is the object of law, human and Divine, we must not, by our actions, or by our neglect or indifference, frustrate it. It cannot be questioned that some of our criminals leave

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\* For the substance of this article we are indebted to a British Journal of July last.

the jail with a desire to amend their lives. In the opinion of some the number is small, but with those who are in the confidence of prisoners, and know most of the working of their minds, the number is considerable, bearing a large proportion to the mass of offenders. If by voluntary means or by legislation, a bare subsistence in return for hard labor, were offered to those who have been at any time incarcerated, there is no doubt thousands would be candidates for the boon. Yea, more, if a severe probation for a time, consisting either of hard living and incessant labor, or any act of self-denial, were required of such, prior to obtaining that humble, reasonable, and legitimate favor, there would be more applications than our boasted justice and humanity could compass. It is our duty and our interest to assist prisoners discharged from jail and promising reformation, in their exertions to obtain an honest livelihood. Their old companions are frequently found at the prison gate to welcome them on liberation, and poverty, as well as former associations, will make their friendship compulsory, unless means are used to deliver them out of their hands. The law of the country punishes and brands offenders; it moreover endeavors to reform them while undergoing their sentence; but when this is endured, discharge from prison takes place, and what follows? To expect them to obtain work and support immediately on discharge is unreasonable. Employment is not always at hand even to the industrious and honest, who are diligently seeking it—how much less to those who, on leaving the prison, find their former places (if such they had) filled up, and are ignorant as to where such labor as they can perform is to be procured; and when they know, even for this they may have to try many places, and probably wait, perhaps, alas! too long, ere they can earn their daily bread. There is a strong feeling in the breast of almost every person against employing those who have been in a jail. Such is their condition. Hence, to turn prisoners on the world without offering them employment or assistance, either at home or abroad, is like saying to them, “Go, make brick, get you straw where you can find it; you are in danger from evil companions—you are destitute and degraded, ignorant and prone to crime—and though you may have been lately taught to fear God and obey the laws, and

though you may have made the best and holiest resolutions, still you must take your chance, you must be left to yourself and the mercies of the world." No wonder that offenders against the laws, on liberation from prison, with none to care for them, associate and combine together. Hence the pauper child, who absconds from the alms-house, and is punished by imprisonment, is driven into the companionship of thieves; the infant beggar, who only obeys the parents' orders, and is imprisoned, becomes numbered among criminals; the vagrant child, who sleeps in some outhouse or archway, when he has no better place to rest in, is taken to jail, and thus begins his downward career; the incipient, untaught, unfed, juvenile delinquent, who, without fear or knowledge of the laws of God or man, commits some petty theft, and is whipped, imprisoned, and discharged, takes his place among the enemies of society. Thus, felons, burglars, highwaymen, and murderers, are produced. Our neglect of common sense, not to say of the Christian means of prevention, is the national manufactory of abandoned criminals. When shall we become wise? When will the nation seek to prevent crime by instructing the fallen in the precepts of our holy religion, and by training to habits of industry the destitute and the depraved? Should we even wait for their matriculation in a jail, or graduating as felons, ere we attempt their reformation? Ought we not to discontinue to associate the earliest recollections of our juvenile offenders with prisons, and cease the pursuit of a system which, from the data of past experience, makes daring and skilful marauders? Ought we not to make more use of the school and the spade, and less of the policeman and the prison? Ought we not to allow some of the advantages to infant and untutored criminals which our transported felons enjoy, and so deliver them from the disgrace, and spare the country the expense of their transportation?

The enemies of reformatory measures would direct the attention to those cases which appear hopeless—but how many of these have been driven to crime by force of circumstances, and how many might have been rescued by the hand of kindness, we know not. Some, at least, of our discharged prisoners are the victims of public feeling, objects of scorn by even the honest of their own grade in society. When laborers are

wanted, they are the last to be employed, if at all; when workmen are discharged, they are the first to be sent off. Their old masters are afraid to employ them, and new masters are slow to engage strangers. Perhaps the discharged prisoner obtains employment without its being known that he has been in jail, but by and by the truth comes out, and the master is actually compelled by his workmen to get rid of this stranger. If he enters a place of service under no disguise, the first thing lost or mislaid is put to his account, and he is accused of robbery; and a person under accusation or strong suspicion will have one reason less for preserving his honesty than others not suspected. The second loss of a tool or any article will be fatal to him in this situation, if he be able to hold on after the first. Servants will sometimes taunt a fellow-servant, and workmen will treat with contempt any poor unfortunate individual that may be employed in the service of their master, even when they know his object is to preserve from destitution and crime. It may be said, that this is the punishment of crime. It is, indeed; and this part of the punishment is more unmixed with mercy, more severe, and more prolonged, than any judicial sentence short of death! This penalty of crime, though it is not taken into account by the law of the land, and seldom considered by the offenders themselves, tends to make a man a wanderer like Cain, and to degrade him, first in the sight of others and then in his own; and when this ceases to be a punishment, then follows a recklessness of character and abandoned life, which scatter misery and disorder around, involving others as well as himself in moral ruin. Such a result, even in one individual, as it often brings irretrievable injury to society, and destruction in more senses than one to the criminal, should be guarded against by the wisest measures, both of mercy and of judgment. One such individual in a neighborhood is enough to keep a whole police force on the *qui vive*, and hence it is folly to talk of the expense of reformatory measures, if such are calculated to attain the end proposed. The jail-bird may be driven from the door; may be expelled from the village or the town; may be treated as an outcast; but such conduct will recoil on society in some form of retribution, and it may be in anarchy and blood.

## S H O R T   N O T I C E S .

**STATISTICS OF CRIME IN FRANCE.**—The following abstract of the Annual Report of the Minister of Justice, embracing the criminal statistics of the French republic for 1849, contains much valuable information.

The Court of Assizes passed judgment in 1849 upon 2,015 accusations of crimes against persons, and 2,895 accusations of crimes against property. The number of the former class was much larger than in any year since 1826. The number of the latter was much smaller than in 1847 or 8. Political crimes were very frequent in 1849. While there were only 15 of this nature in 1847 and 226 in '48, the number in 1849 rises to 337. The crimes of murder, of infanticide, of assault and battery have also largely augmented. Out of the 6,983 persons tried in 1849, there were 5,919 men, or 85 per cent., and 1,064 women, or 15 per cent. This gives one man accused out of every 2,964 inhabitants, and only one woman out of every 16,785 inhabitants. The principal crimes committed by women were infanticide, poisoning and domestic thievery. Out of the 6,983 persons tried, 56 were under 16 years of age, and 1,039 under 21. There were also 45 octogenaries. Unmarried men form more than one-half of the whole number accused—3,747 out of 6,983. There were also 351 widowers. In the department of the Seine (Paris) more than two-thirds of the accused are unmarried. Out of the whole number 891 had no occupation at all: 2,159 worked for themselves, 3,933 worked for other people. Out of the whole number 3,355 could neither read nor write, 2,304 could read but not write, 998 could do both, and 326 were to some degree persons of education. As a general inference, it may be stated that the latter class commit many more crimes against persons than against property. Out of the 6,983 accused and tried, 2,774 were acquitted and 4,209 condemned, 39 to death, 196 to hard labour for life, 835 to hard labour for specified periods, 708 to seclusion, 5 to transportation, 27 to detention, 2,367 to imprisonment, and 8 to fines. Out of the thirty-nine capital convictions, 24 have already been executed. Out of the whole number of accused, 6,983, 26 per cent were for the second offence. For this class of offenders the jury is more severe than for those who were never tried before. Seventeen per cent. only of those relapsed were acquitted. It is remarked that offenders who have been but slightly punished for their first peccadillo, are quite sure to repeat their offence. 2,870 were tried twice; 383 three times; 71 four times; 22 five times; 2 six times and one seven times. A large number of crimes went unpunished during the year 1849, as their authors were never discovered. 212 assassinations, 159 murders, 30 poisonings, 141 infanticides, 2,809 arsons, 270 rapes, and 21,447 thefts remain upon the books of the police untried! Before the Republic, there were about 270,000 names upon the jury lists. In August, 1848, a decree was passed altering the existing law, and the present lists contain nearly a million and a half of names. The number of those summoned during the year was 125,053—10,406 labourers, 18,445 farmers, 22,095 merchants and manufacturers, 14,173 lawyers and physicians, and 50,892 proprietors. The criminal chamber of the Supreme

Court received during the year 1,231 appeals; it quashed 240 decisions, rejected 721, and refused to take the remainder into consideration. The Paris police made 25,337 arrests in 1849, about 9,000 more than in 1848, and 2,000 out of the whole were foreigners. Suicides were less frequent by 282 in 1849 than in 1848: 3,301 being the sum total of those of 1849. Paris is set down for 609 or one-fifth of the whole, though it contains but one-thirtieth of the whole population of France. Among the suicides were 20 persons under 16 years of age and 49 over eighty. 765 individuals were pardoned out of prison in 1849. The directors of the various prisons drew up lists of all those under their surveillance whose good conduct seemed to entitle them to clemency. From those lists, containing in all about 1,500 names, the 765 pardons are selected. The report concludes by stating the imperious necessity of a prompt reform in the penitentiary institutions, making transportation to the colonies the basis of an entirely new system.

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**NATIVITY OF CRIME IN BOSTON.**—A late Grand Jury's report, showing the number of persons in the different institutions of Boston from January 1st to June 30th, 1851, inclusive, makes the total of persons then confined in the penal and charitable institutions of that city, to be 6,005, of which number *four thousand four hundred and fifty-seven, or very nearly three-fourths*, are foreigners. The number of commitments by the city watch during the said six months, was 6,677, of which number only 887 were Americans. The whole number of commitments by the police during the same period, was 2,511, of which number 1,549 were foreigners. Of the 2,826 persons committed to the county jail during the last six months, 2,344 were criminals, 330 debtors, and 162 witnesses; 564 of the whole number were minors, and only 609 were Americans, leaving the number of foreigners 2,217.

**SOOTHING SYRUPS.**—We do not vouch for the accuracy of the statement in the following paragraph. It is from a London journal and relates to English compounds and customs. We are well persuaded, however, that vast mischiefs result from the use of similar substances in our own country; and our design in transferring the article to our pages is to awaken attention to the subject, in order that the evil may be in some measure circumscribed.

**Fatal Soothing Syrups.—Caution to Mothers.**—Indisputable facts prove the extent to which this system is adopted. Walking about Manchester and Birmingham, advertisements of "Mothers' Quietness," "Soothing Syrup," arrest the attention at every turn. It is easy to perceive that the druggists are driving a good trade—that the quiet homes of the poor are reeking with narcotics. The report of the Board of Health furnishes some appalling facts on this head. In Preston, twenty-one druggists sold, within the space of one week, no less a quantity than sixty-eight pounds of narcotics, nearly all of which were for the use of children; and the calculation of the quantity of Godfrey's cordial sold in Preston gave a weekly allowance of half an ounce to each family! Generally, Godfrey's cordial is mixed in the proportion of one ounce and a half of pure laudanum to the quart, and the stronger it is the faster it is sold. It may be had at general dealers' as well as at druggists'; and on market days the people from the surrounding

neighbourhoods regularly provide themselves with this "mothers' comfort," as they purchase other household provisions. About two thousand gallons of Godfrey's cordial are sold in Manchester alone every year. Mr. F. C. Calvert, at a recent meeting at Manchester, stated that in one chemist's shop, in Deansgate, two hundred and fifty gallons were sold in the course of a year, the same quantity in another shop, one hundred gallons in another, the same quantity in a shop in Hulme, and twenty-five gallons each in two shops in Chorlton-on-Medlock. The nurses to whom the children of the factory people are entrusted, are either laundresses or superannuated crones. The more they drug the children entrusted to them, the greater number they can undertake to manage. This consideration acts as a powerful incentive to drug. That wholesale death is the result, is fully proved. Among the gentry in Preston, for instance, the average number of deaths of children under five years old was 17 per cent.; among tradesmen, about 38 per cent.; and among operatives, 55 per cent. Of every one hundred children born among the gentry, ninety-one reach their first year; eighty among the trading classes; and sixty-eight among the operatives. The vital statistics of Preston for six years show that no less than three thousand and thirty-four children were swept away before they had attained their fifth year, who, had they been the offspring of wealthy parents, would have survived that period of their childhood.

There are other causes for this difference which it would seem the author has not duly considered. A philanthropist cannot contemplate such a picture, however, or any thing approaching it, without inquiring earnestly how its revolting features can be changed.

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**PAUPERISM AND WAR.**—Mr. Percival, a member of the *Belgium National Assembly*, states that out of 890,566 families which compose the population of the country, giving an average of 5 persons to a family, there are 154,454 which occupy but a single room; 282,785 which occupy but two rooms; and 453,327 which have dwellings composed of three or more rooms. Thus nearly half of the nation live in abodes that have only one or two rooms; and consequently, among them comfort, the sense of decency and morality, must be seriously wanting. The regular standing army of Belgium consists of 90,000; besides a large corps of general and staff officers, kept under pay for a reserve or National Guard of 90,000 or more. The actual cost of the war establishment is above \$5,000,000 a year. The annual tax on ardent liquors alone is 5,000,000 francs, or \$1,000,000: that makes a great many paupers. The interest of the national debt, the cost of past wars, and other transactions in which the people had little if any interest, but which they had to pay for, amounted last year to \$7,000,000. The king gets \$600,000 a year.

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**RESULTS OF INTEMPERANCE.**—It is stated, on apparently reliable authority, that from 500 to 600 deaths occur annually in the city of New York from intemperance alone, exclusive of deaths which occur indirectly from the same cause, in bar-rooms, in street affrays, and by various casualties. During a period of twelve months, there were *ten thousand* "five day" commitments for drunkenness; and a late quarterly report of the chief of police gives over 5,000 arrests which are chargeable to the same cause. Lately a man and his wife, both intoxicated, were taken to a police station, the woman having a child in her arms and not knowing it was dead!

**ASYLUM FOR VAGRANT Boys.**—An institution has lately been established in New York, the design and character of which may be learned from the following sketch :

The Asylum is intended as a home for vagrant boys, where they may receive moral and religious training, and be fitted for places of service, apprenticeship, or trade, so as to make them worthy and useful members of society. There is a large and constantly increasing number of homeless, friendless boys in our streets, who not only are exposed to great physical privations, but are growing up in an ignorance and viciousness that will almost inevitably make them hereafter curses to themselves and pests to society. They are subject to no parental control, have no one to direct them, or take the slightest interest in their welfare, and, spending their entire time in the streets, or in the haunts of misery and vice, they are constantly operated upon by the most debasing and hardening influences. From idlers they grow by the most natural process in the world into vagabonds, and from vagabonds into villains. It is, and always has been, from this class mainly that our standing army of criminals is recruited. They have nothing to bind them to society, and they know nothing, or if they do, they care nothing, for its laws and principles. They have little or no means of their own to sustain life, and get to look upon roguery as their natural calling. The discipline of the House of Refuge usually comes so late, if it comes at all, that it is of very uncertain efficacy. The vagrant boy is almost sure to become, when a man, a convict or a drunkard.

This is certainly a very fair account of the characters to be provided for, and to try the experiment on a limited scale, a building has been secured capable of receiving some fifty or sixty boys for the present year, who are to be clothed, fed and cared for. The institution is under the charge of nine trustees and thirty managers, gentlemen and ladies from different religious denominations, and is regarded as in every respect worthy of the entire confidence of the public. We shall look with much interest for the result.

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**INTEMPERANCE A HEAVY YOKE.**—A late English paper furnishes the following striking exhibition of the draining and degrading influences of intemperance. Though the illustration is from English society, it is neither inappropriate nor unintelligible in our country.

Sixty million sterling a year are spent in intoxicating drinks. Thirty millions of that are spent by the working classes. If those thirty millions were saved, would it not be a capital with which they could contend with more effect if masters dealt unjustly with them? Thirty millions spent by the working classes alone, unnecessarily, mischievously, destructively—it is more every year than all that is now in the Savings Banks. Thirty millions would build, every year, a Manchester and Salford, with their townships of Cheetham, Ardwick, Charlton-upon-Medlock, Hulme, Pendleton, and Broughton, with all their immense factories, foundries, machine-shops, warehouses, and dwelling-houses, and this every year, and year after year. Thirty millions a-year would buy every year a million of freeholds, yielding a good interest for the money, and a county vote into the bargain; in a few years giving universal suffrage, by every man becoming a freeholder. Thirty millions spent in furniture, clothing, education—there would be something to look at, then, instead of being as much wasted as if

it were thrown into the kennel—and worse, much worse, for drinking it makes beasts of men, and poor, shrinking, wretched slaves of their wives and children.

How would this affect the wages of labour? Let us suppose two mills, one filled with temperance hands and the other with hands accustomed to spend a considerable portion of their earnings on intoxicating drinks. Suppose some disagreement to arise about wages—the masters saying they are right—the work-people saying that they are right and the masters wrong. It matters not as to the principle which is right or wrong. The masters will not give more than so much—the work-people will not take less than so much. The one class has a right to have labour as low as they can—the other has a right to sell their labour as high as they can. There is a turn-out at both mills. Which of the two sets of hands is most likely to succeed? The people of the temperance mill have good furniture in their houses, good serviceable clothes upon their backs, and better, for Sunday wear, in their drawers. They owe nothing at the provision shops, and their character can procure them credit there whenever they choose to ask for it; or they have a little nest-egg at the Savings Banks, or they have a forty shilling freehold, or they have a house built out of a building club. *They have something to fall back upon.* They can afford to wait awhile, and if they really ask no more than the market price of labour, and there is really a demand for their labour, they will prevail.

Now look at the people in the other mill. They are living, as the saying is, "from hand to mouth." They have no furniture in their houses—no clothes but what are on their backs, and they are in rags. They are already deep at the provision shop, and can have no more credit there. They are in debt at the public house, and can have no more credit there. They have no freehold qualification, yielding a little income and giving them a vote. They have built no house in which to live rent free. Could these people stand a contest for three months, or one month, or one week? They could not. They must take what is offered to them. Their wives and children would be crying for food—wretched—starving. The men would have a still more craving appetite—the craving for drink—the craving which made beasts and slaves of them. They could not endure it for a day, and they would yield without a contest. The same results would follow a comparison on a wider scale; the drunken community would be unable to contend; the sober community could take leisure when it was required for relaxation, or for obtaining a fair reward for their toil.

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**NEW YORK PRISONS.**—A legislative committee has been engaged for some weeks in an elaborate investigation of the affairs of the State prisons of New York. A very full report of their condition is expected at the opening of the next legislative session.

If such investigations are made in the proper spirit, and with an honest desire to correct abuses and supply defects, their utility cannot be questioned and they will be welcomed by all right-minded prison authorities.

highly valuable periodical, communicating much and various important information upon the subject of which it treats. It is the only publication of the kind in the country, is certainly a very much needed one, and ought, therefore, to be well sustained by the public.

*From the Episcopal Recorder.*

This periodical gives a large amount of information on Prison Discipline, and cannot fail to interest such as grieve over the sufferings occasioned by crime, and regard the imprisoned criminal as still belonging to our common humanity, and needing the commiseration of the wise and good.

*From the Public Ledger.*

We have received the October number of the Pennsylvania Journal of Prison Discipline and Philanthropy, published under the direction of the Philadelphia Society for alleviating the Miseries of Public Prisons. It is stored with interesting matter.

*From the Presbyterian.*

We have been reading with great interest the Pennsylvania Journal of Prison Discipline and Philanthropy.

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## AN INQUIRY

INTO THE ALLEGED TENDENCY OF THE SEPARATION OF CONVICTS, ONE FROM THE OTHER, TO PRODUCE DISEASE AND DERANGEMENT.

BY A CITIZEN OF PENNSYLVANIA. *Philadelphia: E. C. & J. Biddle. 1849.*

It is, as might possibly be anticipated from the residence of the author, an elaborate and ardent defence of the separate system of confinement. The charge of its peculiar tendency to induce disease and insanity, is altogether denied, and the testimony of the successive physicians to the Eastern State Penitentiary, during a term of nearly twenty years, goes very satisfactorily to warrant the denial.

The author is not, however, inclined to rest at this, but carries the war into the enemies' camp. The chapter entitled Medical Practice, in a Congregate Prison, is calculated to attract attention, from the positions laid down in it, and their startling illustrations, deduced from the well-known case of Abner Rogers. It is not the time or the place for us to enter on this warmly controverted subject, and we have noticed the work only on account of its bearing on the subject of insanity, and as forming a part of its literature.—*Am. Journal of Insanity, published by the Superintendent of the New York Lunatic Asylum, July, 1850.*

So far as the leading controversy, in regard to the rival systems of prison discipline, is concerned, it seems to us to cover the entire ground with singular ability.—*Princeton Review.*

☞ A few copies of this pamphlet are still on hand, and may be had on application to the publishers, corner of Fifth and Minor streets, or to any member of the Acting Committee.

## OFFICERS FOR 1851.

PRESIDENT—James J. Barclay.

VICE-PRESIDENTS—Townsend Sharpless, Charles B. Trego.

TREASURER—Edward Yarnall.

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Job R. Tyson, Garrick Mallery.

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Q<sup>U</sup>ARTERLY MEETING of the Society on the thirteenth day of October inst.

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### ODD NUMBERS SUPPLIED.

There are no full sets of the FIVE volumes of this Journal (already published) on hand, but a large stock of odd volumes and numbers. Many complete copies of Vols. I. and II., can be had, and a few of Vols. IV. and V. If any person has duplicates of Vol. I., No. 1, Vol. II., No. 2, Vol. III., No. 1, Vol. IV., No. 3, or Vol. V., No. 1, they will oblige us by sending them to the office of publication. Copies of Vol. I., No. 4, Vol. II., No. 1, Vol. III., Nos. 3 and 4, Vol. IV., Nos. 1, 2 and 4, and Vol. V., Nos. 2, 3 and 4, will be given in exchange, or supplied to such as want them.

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"JOURNAL OF PRISON DISCIPLINE AND PHILANTHROPY,"  
Published by the "Philadelphia Society for alleviating the Miseries of Public Prisons."

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### DESIGN AND PLAN OF THE WORK.

The members of this venerable Institution, which has been mainly instrumental, in introducing the great reform in Prison Discipline that has distinguished the last half century, have long felt the need of such a medium of communication with the public as is now proposed. Their attention has of late been more especially aroused to the importance of the measure, from the deep interest which has been awakened in such reform; and from the misapprehension which prevails, as to the true principles and results of what is termed the "Pennsylvanian," or "Separate System."

Of the intrinsic usefulness of a Journal of this nature, it is believed but one opinion can prevail among the intelligent and humane. One of the most active and well-informed of those engaged in the reform of Prisons, has justly remarked, that "Judgment is but the result of comparison." All reasonable men, before deciding on a measure, will acknowledge the importance of becoming acquainted with the history and results of similar efforts. Hence the necessity felt by all civilized nations, of publishing and preserving public documents, reports, discussions, criticisms, &c. In America there is no adequate provision for the preservation of these, so far as they relate to prison reform; they are scattered among an accumulation of pamphlets on other subjects, are frequently destroyed, and are always difficult of access; and the labour which ought to furnish instruction for our future progress, and for posterity, becomes too often merely temporary in its utility.

At the present time a greatly enhanced importance is attached to a publication of this kind, as a medium of communication with foreign countries. Several of the governments of Europe are endeavouring to ascertain the best system of Prison Discipline, with a view to its adoption; and although the Society have no doubt which of the methods now in existence is the best, some Philanthropists of the Old World are yet undecided.

It is from a knowledge of these facts and from a belief that it is due to themselves and the cause of humanity, that the Society have been induced to undertake this publication.

### TERMS.

This periodical is published quarterly; each number to contain at least 48 pages octavo. It will be delivered without charge to members of the Society; but to those who are not members, the price is \$1 per annum, always in advance, or 25 cents a number.



