

---

This is a reproduction of a library book that was digitized by Google as part of an ongoing effort to preserve the information in books and make it universally accessible.

Google™ books

<https://books.google.com>







Class... 365.05....

Book... J.86.....  
n.s.  
no. 5-10

Acc. 193837.....



BOOK J 82 <sup>HC</sup> VOL. 5-10  
**WITHDRAWN**

*Iowa State Library*  
DES MOINES,  
IOWA.

UNIVERSITY OF IOWA



3 1858 042 530 679



NEW SERIES.

NO. V.

# THE JOURNAL

OF

THE PHILADELPHIA SOCIETY

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

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

JANUARY, 1866.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1866.

УПРОСАВИУ 37412  
АНДІ 30  
УГААНДІ

365.05  
J 86  
71.S.  
no. 5-10

**ROOMS OF THE  
PHILADELPHIA SOCIETY**

FOR

**Alleviating the Miseries of Public Prisons.**

---

*At a Special Meeting of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month, (December,) 19th, 1865, the Editorial Board, (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, EDWARD H. BONSALL, JAMES M. CORSE, M. D., and PHILIP P. RANDOLPH, presented the Annual Report, which being read by the Chairman, was considered and approved, and the Acting Committee were directed to cause to be printed one thousand copies, and to make such alterations and additions as they may think proper. The Report to be signed by the President and Secretaries.*

*At a meeting of the Acting Committee, held Twelfth Month 21st, 1865, it was ordered that the Report be referred to the members by whom it was prepared, with instructions to carry out the wishes of the Society.*

**JOHN J. LYTHE,  
SECRETARY.**

**WITHDRAWN  
D 6055**



# CONTENTS.

---

## PART FIRST.

	PAGE
INTRODUCTION, -	9
PHILADELPHIA COUNTY PRISON, -	15
FEMALE DEPARTMENT OF COUNTY PRISON, -	18
BOARD OF INSPECTORS OF COUNTY PRISON, -	19
HEATING, -	22
EMPLOYMENT, -	22
CLASSIFICATION, -	23
READING, -	23
MEANS OF EDUCATION, -	23
RELIGIOUS INSTRUCTION, -	24
DIETARY, -	25
SANITARY CONDITION, -	26
CLEANLINESS, -	26
DISCIPLINE, -	27
SUDDEN ILLNESS, -	27
EASTERN PENITENTIARY, -	28
AGENT, -	32
SOME CASES SETTLED BY THE AGENT, -	38
SEPARATE CONFINEMENT, -	45
LETTER OF J. B. SANBORN, ESQ., -	50
LETTER OF REV. JOHN RUTH, -	52
MOVEMENT OF ACTING COMMITTEE AND SOCIETY, -	56

	PAGE
PROCEEDINGS OF SOCIETY, - - - - -	58
RESOLUTIONS RELATIVE TO THE DEATH OF PRESIDENT LINCOLN, - - - - -	61
LEGISLATION, - - - - -	63
REPORT OF JOINT COMMITTEE OF LEGISLATURE, - - - - -	64
REMARKS UPON THE OBJECT OF THE LEGISLATIVE REPORT, - - - - -	78
CORRESPONDENCE, - - - - -	80
INTERROGATORIES RELATIVE TO PRISONS AND ALMSHOUSES, - - - - -	81
BERKS COUNTY POOR—LETTER FROM HON. J. PRINGLE JONES, - - - - -	83
BERKS COUNTY PRISON—LETTER FROM HENRY TYSON, M. D., - - - - -	89
INTERESTING LETTERS FROM OTHER COUNTIES, RELATIVE TO PRISON AND ALMSHOUSE, - - - - -	91
LETTER FROM MISS D. L. DIX, - - - - -	99
DIVERS SUBJECTS, - - - - -	101

---

## PART SECOND.

DOMESTIC AND FOREIGN REPORTS, - - - - -	104
REPORTS ON THE PRISONS OF FRANCE, - - - - -	105
PARDON, COMMUTATION, &c., IN THE PRISONS OF FRANCE, - - - - -	120
OVERWORK                  "                  "                  "                  -	121
CHILDREN                  "                  "                  "                  -	123
NUMBER AND CHARACTER OF THE PRISON HOUSES OF FRANCE, 126	
"                  "                  OF THE PRISONS IN PARIS, - - - - -	128
PUNISHMENT OF PRISONERS, - - - - -	129
NUMBER OF PRISON HOUSES NOT IN PARIS, - - - - -	130
DISCIPLINE, - - - - -	131
LABOR AND PRODUCE, - - - - -	132
OTHER ITEMS RELATIVE TO FRENCH PRISONS, - - - - -	134
PRISONS OF GREAT BRITAIN, - - - - -	136
SOUTH DISTRICT OF ENGLAND, - - - - -	137

	PAGE
<b>NORTH DISTRICT OF ENGLAND,</b>	<b>- 141</b>
<b>PRISONS OF SCOTLAND,</b>	<b>145</b>
<b>BRIDEWELLS AND PRISONS OF IRELAND,</b>	<b>148</b>
<b>STATE PRISON OF MAINE, IN THE UNITED STATES,</b>	<b>158</b>
<b>ACT OF THE LEGISLATURE OF MAINE CONCERNING SHORTEN-</b>	
<b>ING OF SENTENCES,</b>	<b>160</b>
<b>REPORT RELATIVE TO THE PENAL AND CHARITABLE INSTITU-</b>	
<b>TIONS OF MASSACHUSETTS,</b>	<b>161</b>
<b>REPORT RELATIVE TO THE STATE PENITENTIARY OF CONNEC-</b>	
<b>TICUT,</b>	<b>162</b>
<b>REPORT RELATIVE TO THE PRISONS OF THE STATE OF NEW</b>	
<b>YORK,</b>	<b>164</b>
<b>REPORT RELATIVE TO PRISONS IN VIRGINIA,</b>	<b>170</b>
<b>LETTER TO GOVERNOR PIERPONT FROM JEREMIAH WILLETT, RELATIVE TO PRISONS IN VIRGINIA,</b>	<b>171</b>
<b>REMARKS UPON THE REPORT,</b>	<b>173</b>
"        " <b>FRENCH REPORT,</b>	<b>174</b>
"        " <b>IRISH REPORT,</b>	<b>176</b>
"        " <b>PRISONS OF ITALY,</b>	<b>177</b>
<b>GENERAL REMARKS,</b>	<b>177</b>

---

**PART THIRD.**

<b>DISTURBING CAUSES, WITH REMEDIES,</b>	<b>- 179</b>
<b>INTEMPERANCE,</b>	<b>184</b>
<b>WANT OF HOME,</b>	<b>205</b>
<b>YOUTHFUL DEPRAVITY,</b>	<b>212</b>
<b>COMING FROM THE COUNTRY,</b>	<b>221</b>
<b>BAD BOOKS,</b>	<b>237</b>
<b>REMEDIES—EARLY EDUCATION,</b>	<b>230</b>

**PART FOURTH.**

	PAGE
ADDITIONAL SUBJECTS,	- 238
THE INSANE,	- 240
SOCIETIES OF PATRONAGE,	- 245
PHILANTHROPIC INSTITUTIONS OF PHILADELPHIA,	- 252
PRISON SHIPS,	- 256
DISCIPLINE IN PRISON,	- 261
VIEWs FROM THE WEST,	- 263
CONCLUSION,	- 267
LIST OF MEMBERS OF THE PRISON SOCIETY,	- 273
CORRESPONDING MEMBERS,	- 279

## REPORT.

---

### PART FIRST.

---

The “Acting Committee” of the “Philadelphia Society for Alleviating the Miseries of Public Prisons,” present to the parent body the Report of its proceedings for the year 1865, with such reflections, and such reference to the action and reports of other societies of a cognate character, as may throw light upon its own proceedings, and illustrate the growth and progress of social science,—especially touching the subjects of Prisons and Prison Discipline.

The idea of alleviating the miseries of prisons is no novelty. At all times, as far back as there is a record of systematic humanity, there seems to be a sense of general and particular merit in the action of those who, by any means, lessened the sufferings of the incarcerated, or diminished the number of those who were sent to prison.

It is probable that some of the miseries of public prisons—terrible miseries as we view them now—were

the result of a bad, a low, a suffering state in those who were not imprisoned. To make incarceration a punishment, or the means of vengeance, it must be less durable than freedom, or it must lack some means of gratification which freedom possesses. We know—or suppose, at least—that the sufferings of the tenant of a dungeon were greater than those of the denizen of the open air; but all the miseries and deprivations of past imprisonment, which seem so intolerable when compared with the smaller miseries and deprivations of the present, may have something less of evil in their character, when contrasted only with the low enjoyments and life-long struggles and sorrows of the free.

Tolerable, comfortable indeed, as are some of the prisons of the present time, when compared with those of past centuries, it seems evident that the condition of the imprisoned has scarcely advanced *pari passu* with that of the free. Men look with horror upon the record of early writers, relative to the miserable state of the prisons even in England,—their wretchedness, filth, and the cruelty of their keepers in the times of the Henrys and of Mary and Elizabeth; but if they will consult the incidental admissions and statements of other writers, they will confess that the alleviation in the condition of the cells and their tenants, from Henry IV. to Victoria, was not greater than the improvement of the tenant-houses and their occupants in the same time. Howard and Elizabeth Fry have done great work in England, and caused great improvement wherever their services have been known. But Howard and Elizabeth Fry received their suggestions of improvement, and were

stimulated in their Godlike labors of philanthropy, by the disparity between the steps of humanity abroad and the movements of humanity in the prison,—by the obvious improvement in the comforts of the people in town and country, and the evident lagging of all improvement in the jail,—by the comfort and ease and enjoyment which commerce and manufactures were making common to all who could move within their influence, compared with the indifference to the claims of Christian philanthropy in behalf of the prisoner. Their holy work was one of compensation, one that tended to keep up the balance of conditions, to induce the abundance of gentle feelings that were wasted in unprofitable exercise, to find objects nearer home, though shut out from sight, and, having thus called up and directed the unemployed philanthropy into a proper channel, they continued the operation by appealing to the acquirers and possessors of wealth to second and confirm their labor, and induced them to “shake their superflux where it would second humanity and shew the heavens more just.” In the midst of that general occupation which successful commerce and flourishing arts ensure and reward, there are few who think of the duties of humanity. They aid the efforts of philanthropists when reminded of the necessities of others; but they are not of the class that says: “The cause which I knew not I searched out.” But if they strengthen the hands of those who have both time and inclination for works of mercy—works that are the duties of some, and of merit in all—they do much; and the blessings of the relieved will reach them through their almoners.

To second this holy effort, to try to forward the work of humanity towards the prisoner, to walk in the path, not always in the footsteps, of John Howard and Elizabeth Fry, was the motive for forming this Society. This motive has pervaded all the deliberations and actions of this Institution, and is avowed now, and we hope illustrated in the proceedings of the "Acting Committee during the past year.

Our best works of humanity—those that become most permanently and extensively useful—are usually those that have their origin in efforts directed to individual circumstances, and which spread with augmented demands, and with the knowledge and judgment afforded by experience.

"God sees from whole to part ; the human soul  
Must rise from individuals to the whole."

And hence the action of this Society has expanded ; its very existence has been the encouragement for forming, elsewhere, similar institutions, and extending their influence. Certain circumstances have given to some associations more obvious effects. In Massachusetts, the centre of such societies is the political and commercial capital of the State, and the State itself is one great Boston ; so that a proposition originating in the capital, and looking towards the public good, is at once comprehended and generally encouraged by the legislature, and it has no difficulty in making itself understood in the utmost borders of the State, and has no jealousy to encounter, and no querulous opposition to propitiate. And Massachusetts has a series of insti-

tutions that rest upon pure philanthropy, and honor no less the State that gave them corporate existence than the philanthropists who originated their plans and who now carry them into execution under the patronage of, and with responsibility to, the Commonwealth.

In Connecticut the number of humane institutions that are meliorating the condition or lessening the number of prisoners, is creditable to that ancient State.

The Society in New York City has obtained ample funds to carry out their views—to insure visitations of kindness to the city prison, to investigate the condition of every prison in the State; and it has so far connected itself with the interests and plans of the government, that it makes its report directly to the legislature, and has the whole statement, with its admirable comments, its instructive essays and its sound criticism, printed as one of the "Legislative Documents,"—thus saving expense to themselves, insuring a general circulation of the report throughout the State, and giving to the document the additional claim to respect which the legislative reception may afford.

The Society in New York has resolved to send a commission to Europe, to investigate the condition of public prisons, and to inquire minutely into their administration, as well in small as in large matters. We cannot doubt that the effort to obtain means will be fully successful, and that the commission will return stored with valuable information on the subject of their appointment.

We know little, if any thing, by positive observation only; it is by comparison that we are able to judge of

the true merit of any institution. It is not necessary that we copy exactly at home what we may approve abroad; but we can judge better its adaptation to our peculiar circumstances, and adapt our own to the suggestions from abroad, rather than adopt those without change.

The mere legislative proceedings of this Executive Committee, or of the Society, are not of sufficient general importance to be made a part of the Report; its action in itself and for itself alone needs a record only in its minutes of proceeding; but what concerns the community at large, and what concerns the action of this Society intended to extend its influence outwardly, is a fit subject for the Report, and will be presented as a part of the movements of the "Acting Committee," under the sanction of the Society.

But we have before us a great duty, not merely to see that the prisoner has the miseries of his condition alleviated, but to endeavor to prevent that state of society which necessarily makes men and women candidates, and successful candidates, for the prison. While we seek to establish virtue, and by that to alleviate the miseries of prisons, we must endeavor to understand, and, if possible, remove, or at least lessen, the disturbing causes. Inquiries into these evils and the means of remedy or regulation, will constitute a part of this Report, and augment the size, if not extend the influence, of the Journal.

We shall make a large, and, as we think, interesting abstract, of the reports upon the French prisons, and of those of Great Britain and Ireland, and use the reports

of the New York Society, to show what others are doing there, and how they do their work. And we are happily placed so as to be able to give a view of the condition of some of the prisons in Virginia.

With a view of giving an appearance of order to the papers which go to make up this number of our Journal, we shall make of them four separate divisions. The *first part* will include the proceedings of the "Acting Committee" and its agents, and some action of the Society, with some views of what concerns prisons and imprisonment, within the legitimate action of the Society.

The *second part* will contain carefully prepared abstracts of reports upon prisons in several parts of the United States, in France, Great Britain and Ireland.

The *third part* will contain remarks upon some of the causes of the crime with which society is plagued, and a reference to some of the preventives which are in the hands of the people.

The *fourth part* will contain some short papers upon additional subjects connected with the cause of humanity, with some concluding remarks.

---

## PHILADELPHIA COUNTY PRISON.

Now, as formerly, the labors of the Society find objects in the County Prison and in the Eastern Penitentiary situated in this city. These are special objects of Committees who have their appointment and make

their reports solely with regard to these institutions and the doings and well-being of their numerous inmates. The Acting Committee, while as a body, it manages the whole concerns of the Society, and does nearly all but make the laws by which it is established and governed, is divided into two Committees; one having for its mission the alleviation of the miseries of the County Prison in Moyamensing; the other has the seat of its labors in the Eastern Penitentiary of the State located on Coates' Street.

The members of "the Committee on the County Prison," made in the course of the year 1865, about eight hundred visits, each giving his attention to the division assigned to him by the Committee, and each visitor had with him pamphlets calculated to arrest the attention of the reader and deepen the impression made by verbal monition. It cannot be denied that while the members of the Committee have exhibited great devotion to the services upon which they are engaged, there is need of more assistance. Most of those who undertake the work of visiting the County Prison are engaged in some business that demands a large portion of their attention, while their own families proffer claims that may not be lightly overlooked. One or two men of devotion who could command time and who possess an aptness to teach, would be of incalculable service among the male prisoners who profit by the frequency as well as the soundness of lessons in their cells. Much may be done with people of a certain class, if, by frequency of lessons, their thoughts are retained in the right channel and other circumstances are

kept from diverting their attention. The silence and solitude of the criminal's cell are favorable to lessons that have improvement for their end ; and the comparative cheerfulness of the countenance of the visitors give a charm to his instruction, which in the noisy world and in ordinary circumstances might prove unfruitful. It is a mission which to fulfil perfectly one must love well, as it has in itself few attractions. The hypocrisy, the falsehood, the obstinacy, and often the indecency and blasphemy of the object invest it with great repulsiveness, yet these hypocrites, these liars, these obstinate and indecent blasphemers, are human beings, capable of improvement and responsible to God for their conduct and conversation ; and those who visit them on errands of mercy feel that they, the visitors, may be held responsible for the failure of some of these prisoners to adopt a better course of life. If they could visit them, and by these visitations they could induce these poor wretches to regain the position they have lost, or arrive at the position which they have abilities to fulfil, then they may be in some degree responsible for the evils perpetuated or the good unattained which are consequent upon their neglect.

It is difficult to say how much those who neglect the visitation of the imprisoned make themselves responsible for evils resulting from neglect, but it is not difficult for an observer to comprehend the vast advantage resulting from these visitations of mercy, advantages moral and physical—advantages temporal and eternal—advantages to the visitor himself in the luxury of doing good, and advantages to the prisoner in the encouraging effects of interest and kindness.

As yet we have narratives only of those men who, having received moral and religious instructions, have profitted thereby and gone forth capable, willing and sure to discharge some of the duties of good men. Perhaps at some future time we shall have an account of the reflective effect of *giving* good lessons, how that kind of charity is as blessed "to him that gives as to him that takes," and how the evening of one's days has been made calm and peaceful by the efforts of early years to spread calm and peace over the heart of others. We have no doubt that many at the door of the prisoner's cell have been startled by their own dehortation against errors, and been urged into additional virtue by the very lessons which they were giving to others. All good attempts seem to be as subjective as they are objective; if evil plans come back to plague their inventor, it seems just that good efforts should bless their source.

IN THE FEMALE DEPARTMENT of the County Prison the arrangement of the corridors and cells are such as to render a visit quite unobjectionable to the most fastidious. Cleanliness and order pervade the whole establishment of the County Prison, but in this department the great amount of sunlight admitted renders obvious and pleasing the result of the labors of cleanliness. The excellent ladies who visit this part of the Prison, open the door by permission of the keeper and matron, and take their seat with the object of their solicitude and efforts, and these visits which are looked for with anxiety by the prisoner have been productive of much good.

It has been found possible to have female visitors, pious females of such a variety of creeds as to ensure their welcome and usefulness in all the convict cells; and thus far, nothing unpleasant has arisen between these excellent persons in consequence of the difference of their creeds. Their pupils are sometimes less tolerant of *religious* difference than their teachers, but this spirit of hostility is not exactly American, though it is not difficult to arouse it even with those who have not evinced much attachment to creed—it is certainly most easily aroused in those who in other respects have shown very little attachment to any christian virtue or exhibited any evidence of christian grace.

The government of the Prison is committed to the hands of eleven Inspectors appointed by the three Courts of Record in this city, each Court appointing one for each Judge. The Board of Inspectors appoint the Superintendent of the Prison, the clerk, the matron, physician, &c. The other officers are appointed by the Superintendent. The keepers, turnkeys, watchmen, &c., amount to between twenty and thirty persons. Each gallery has a special keeper, and each branch of business has an overseer. Keepers are on duty in turn every night; and in addition, assistant keepers called watchmen, come on duty every evening as the day officers withdraw, so that there is always a considerable force at the Prison.

THE BOARD OF INSPECTORS meet monthly and more frequently if necessary. The members of the Board are divided into monthly committees of three members,

whose duties are to look after the interests of the Prison, to advise with the Superintendent, and to release such prisoners, as by law they are authorized to discharge when they think circumstances render such discharge proper, and they make monthly reports of their doings and upon the general state of the Prison. It usually happens that one or another of these inspectors is to be found daily at the Prison. The general administration of the Prison affairs is however in the hands of the able Superintendent.

The Board of Inspectors appoint also an Agent, whose duties are to look after the interests of the Prison and of prisoners, and to settle suits that seem to have originated rather in bad feelings than in bad acts. This Agent is also, though not necessarily, the Agent of "The Society for alleviating the miseries of public Prisons," and as such he takes into the discharge of his duties also the humane wishes of the Society, as well as those of the Inspectors. The Agent also provides for preaching in the corridors of the Prison on Sunday.

In this connection we may perhaps perform a good work by making nearly the same exposition of the affairs and government of the Philadelphia County Prison, that the report of the New York Society has given of the several Prisons in that State.

The whole establishment consists of four principal buildings, with numerous smaller structures for stable, bakery, cook house, out houses, workshops, &c.

The central front building is large, with castellated towers, the whole presenting the appearance of what the French would call a *Chateau Fort*. This is occupied

by the Superintendent and his family, and in it is the hall in which the Board of eleven Inspectors hold their monthly meetings; here, too, are the principal offices of the establishment.

At the north of the main building is what was built for a Debtor's Apartment; it has a handsome red stone front of Egyptian order, and contains, besides a good residence for the keeper's family, between twenty and thirty cells. As imprisonment for debt is no longer practised, this building is used for some United States prisoners, witnesses, &c. This building is not under the same direction as is the other part. On the south side of the central building is an immense structure, into which all prisoners are first received, and there they are recorded. Here, in cells on the ground floor, all vagrants and drunken men serve out their short imprisonment. In the second story and the third story, the cells are occupied by the untried men, and by males who are sentenced to short terms of imprisonment, but are not called convicts. There are about 204 cells in this building. North of this range are the numerous buildings for shops, &c., already mentioned. Still further north is the immense range called the Male Convict Department, containing nearly 300 cells. Still north of this is a handsome garden, with fruit trees, &c., separated from another flower-garden by a high wall; north of which, and between two well cultivated pieces of ground, is the Female Department, in the rear of the Debtors' Apartment, containing about 100 cells, and rooms for the family of the principal matron.

The ground floor of this and the other buildings is of

brick. On each side are the cells, with well boarded floors; the cells are about nine by twelve. The galleries of the second and third stories of all the prisons are of iron frames, floored with boards.

Each cell is supplied with one gas burner, with water-closet, and with hydrant-pipe, and a constant supply of water at will. Each cell has a window which may be opened and closed at will. In the south, and in the Convict Department, occupied by males, there is for each cell a grated iron door, and outside of that is a strong, close wooden door. On the north side, the Female Department, there are no gratings. A small wicket in the main wooden door, is opened to supply food, and give circulation to air, and to admit of conversation with the prisoners. The door is never opened, excepting by the keeper, or the matron, or female visitor. In the northern building all the females are confined. One part is devoted to those who have been tried and sentenced, the others to the untried accused, and the drunkard and vagrant. The sentenced prisoner is separately confined—that is, each has a cell to herself, as do the male convicts; and each cell has a bed, with comfortable sheets and blanket, a table and a chair, besides the other means of cleanliness and comfort already mentioned.

**HEATING.**—Each department of the prison is warmed by numerous furnaces in the cellars, supplying an ample amount of heat in the coldest weather.

**EMPLOYMENT.**—The male convicts make boots and shoes and weave; those who enter without a knowledge of these arts, are soon taught to practise them with

more or less success. The females make up the clothing, the bedding, &c. Cleanliness is ensured by the unlimited supply of water for each cell.

**CLASSIFICATION.**—The convicts have separate cells ; and it would be better if the untried and the vagrants could be insured the same advantage ; but this is at present impossible. Care, judgment, and humanity are exercised in the disposal of the untried and vagrant, so that the least possible injury may result from bad association ; and, whenever it is practicable, separate confinement is provided, according to law, for the untried, and consideration given to the circumstances and antecedents of the prisoner.

**READING.**—Each convict department (male and female) is supplied with a very good library ; and some pains have been taken to select books that would amuse as well as instruct. In the male convict department a well-educated prisoner is librarian, and he discharges his duties with propriety. In the female side, the keeper of the department undertakes the work of librarian, and at stated periods supplies the prisoners with books, having reference to their ability and their attainments. The duty is faithfully and acceptably discharged. One of the Inspectors has also furnished books for the women who are committed for various violations of law, or who are awaiting trial for considerable offences.

**MEANS OF EDUCATION.**—The means of primary education are not provided by the authorities of the prison,

but many of the visitors of “The Society for Alleviating the Miseries of Prisons” have not thought it unworthy of their mission to teach the convict to read the lessons of virtue which he had received orally, and hence some who came in with no knowledge of even the alphabet of their language, have been discharged with ability to read, and even to write a legible hand. Some have acquired a very beautiful hand-writing. One, in particular, became the mistress of a beautiful hand-writing, who with great difficulty conquered the multiplication table, but gave up in despair at the mysteries of long division. Several have learned to write a handsome hand who were unable to read what they had written; perhaps a natural gift for drawing had enabled them to imitate their “copy.”

**RELIGIOUS INSTRUCTION.**—Each convict cell is furnished with a well-printed and strongly-bound copy of the Bible, and a copy of the Book of Common Prayer of the Episcopal Church. The Agent of the Prison, WILLIAM J. MULLEN, Esq., is authorized to procure “moral instruction;” and usually twice on each Sunday there is preaching in the different departments, with ordinary religious exercises. These are conducted generally by a clergyman of the Episcopal Church, (Rev. Mr. ALLEN,) and a Methodist clergyman, and some local preachers of the last-named denomination. When a convict on the female side is committed to her cell, it is customary for the Visiting Inspector on duty to inquire of the prisoner whether she is satisfied with the books in her cell. If she declares herself satisfied, nothing

further is done in that respect. If she professes to be a Roman Catholic, then she is supplied with a prayer-book and other devotional books of her own creed, with other means of aiding devotion. Visitors of the prison leave at the cell door pamphlets of a religious and moral character, which supply profitable reading to the inmates; and some of the religious papers of the city find their way to the cells. Respect is usually paid to the creed of the prisoner. Several ladies visit the female department, and one or two of them have done good work among the colored prisoners, by teaching some of them to read. The Catholic portion of the female convicts receive a weekly visit from two or more well-educated ladies of a "religious order" whose professions require of them works of mercy of that kind. Clergymen of any denomination required by the convict are sent for by the officers of the prison, and every facility afforded for the exercise of their functions.

The male department, especially the large convict block, has, beside the library already mentioned, stated instruction from voluntary visitors, chiefly those from the "Society for Alleviating the Miseries of Prisons;" and great good has resulted from their kind ministrations. The clergy come hither when called, and the cells are always accessible, at suitable seasons, by those who come to do good to their inmates.

**DIETARY.**—Three meals a day are served. In the morning, *coffee*, and bread for the day. At noon, soup, with the meat from which it is made, and various vegetables in their season. At evening, tea in the summer, and mush and molasses for the winter, with variations.

SANITARY CONDITION.—The prison has a regular physician, who comes twice a day, and more frequently, if necessary. There is also a resident apothecary, who is a physician, so that any sudden call may be readily answered. The health of the prison is good. Sickness occurs, but chiefly among the debauched, who bring with them their diseases, and suffer in the cells the consequence, if not the punishment, of their violation of natural laws. The regular physician goes through every department, every morning, and receives from the proper keeper a list for visiting.

CLEANLINESS.—The Philadelphia County Prison does credit to the general character of the city for desperate and persevering cleanliness. Outside, the garden and lawn are samples of neatness and utility, and inside, water, and the lime bucket are in constant use. The cells of the convicts are scrubbed and white-washed with great frequency; and the clothing and bedding are kept in constant cleanliness. The cells of the vagrants and untried are cleaned thoroughly and whitewashed, sometimes twice a week, and, in summer, oftener. No sooner is one cell left vacant by the discharge of its occupants, than it is submitted to thorough cleansing, before it can be again tenanted. The walls of the corridors are almost constantly receiving touches from the whitewash brush, and the floors are patterns of cleanliness for house-keepers. Along the lower floor are large dishes of chloride of lime, which tend to keep the air pure. It may almost be said that no house in the city is more healthful than the County Prison; and none anywhere affords

better treatment, of all kinds, for the sick poor who are its inmates.

**DISCIPLINE.**—The constant watchfulness, the immediate presence of some officer or official visitor, usually render any punishment unnecessary. Occasionally some sudden outbreak of bad passions subjects a prisoner to the dark cell for a day or two. Chains are generally a preventive, applicable to those whom the reaction of debauchery exposes to the danger of committing violence upon themselves. Convicts seldom are submitted to any punishment. The females who will converse with each other out of their windows, learn that a small strip of leather is hung up at their door, and while that remains, they must submit to a diet of bread and water, unless they be sick. Twenty-four hours suffice for this. The strap also warns off, for the time, the visit of kindness of the visiting inspector on duty.

**SUDDEN ILLNESS AT NIGHT.**—Inquiries were made by the New York Committee, at every prison in that State, as to the means of procuring help for a prisoner taken suddenly and severely ill in the night. It was a question of humanity; and the answers show that in some of the prisons no means of procuring immediate assistance are provided.

From what is said of the number of officers of various kinds always on duty at the Philadelphia County Prison, it is evident that the most trifling intimation—a knock or a call—could be heard; and it is certain that they would be, and it is a fact that they are, at once answered.

This, in the female department, is the more necessary, as the birth of children is by no means an unfrequent occurrence; and in no case has it ever been known that in that, or any other sudden emergency, there has been a want of prompt attention. The Matron resides in the building of the female department, and her apartments are in the centre of the building; and a careful watchman, of long experience, makes a continual round of the corridors, and thus passes by each cell. It follows that, in case of illness, assistance can be promptly procured, and at the same time order is maintained.



## EASTERN PENITENTIARY.

The Eastern Penitentiary receives the attention of a large Committee from this Society, and the circumstances of the prisoners render easy access to their attention, and, in time, to their confidence and their affection. When the first feeling of astonishment is over, and the prisoner begins to comprehend, and make calculations upon, the time of his incarceration, he finds in the presence of the regular visitor to his cell, a cheering and comfort which he had for a time believed unknown in that penal abode; at least he believed himself unsusceptible of consolation while a prisoner. Confidence soon springs up, and the unfortunate occupant of the cell finds a real gratification in unburthening his heart, from time to time, to one who has sought him, only to promote his present comfort and future welfare.

The visitor feels this, as well as the prisoner, and he feels the responsibility devolved upon him by the prisoner's profession and manifestation of confidence; and with this softening of feeling on both sides, are commenced the business of moral instruction by the visitor, and the willing and profitable reception of wholesome truth; the head and the heart receive cultivation, and the work of good goes on. This is the constant movement of the members of the Committee on Penitentiaries. Last year we gave some account of the doings of the Committee, and the happy results of their labors, and we now have occasion only to add this,

The "Committee on the Eastern Penetentiary" continue their visits and labor at the Prison, and feel encouraged by the belief that their efforts are not in vain.

Some of the cases referred to, in our Report of last year, of discharged prisoners who had resolved to "cease to do evil and learn to do good," are still under care, and give evidence of a firm determination to carry out their good resolves.

The Library is a source from which the prisoners derive much advantage. It contains 2,343 volumes of well-selected books in the English language, and a large number in the German language.

The following is a summary of the visits made by the Committee for the year 1865.

Number of visits at the Penitentiary during the

year 1865, . . . . .	425
Number of interviews with prisoners in their cells, . . . . .	1,724

---

Amount carried forward, . . . . .	2,149
-----------------------------------	-------

Amount brought forward,	2,149
Number of interviews with prisoners at the cell doors, . . . . .	1,457
Total interviews during the year, . . . . .	3,606
Average prisoners visited each month, . . . . .	202

The Society seeks the co-operation of females, in their labors in the prisons, especially among the female convicts; and they do not doubt that much of their hope of being useful to that class of prisoners, has been realized by the faithful labors of women, when and where woman's peculiar adaptability to the work could be most successful. It is gratifying to state that additional means of usefulness have been secured in this department of the Penitentiary, by the renewal of labors by some of the female co-workers with the Visiting Committee, and additional labor from the visitors of the same religious order that attend, at stated periods, the female convicts in the County Prison.

It is perhaps a subject of felicitation, that while men and women of all creeds and climes find their way, through our courts of justice, into the cells of the Eastern Penitentiary, men and women of every creed and clime find their way, by the liberal courtesy of the

\* The visits here referred to, are those made by the members of the Committee on the regular days of visitation. A much larger number of visits are paid by them and by persons having in view the good of the prisoner and acting with the concurrence of the Society. This desirable field for such labors seems to be well tilled; and it is to the honor of the volunteer visitor, and to the lasting good of the prisoners, that so much time and patience and kindness are given to the cause of humanity in this penitentiary.

administration of the prison, into the same cells, to deal with erring brothers and sisters, and, if not to open the doors of the prison with miraculous power, at least in the same motive to pour the light of truth, of love and religion, into the abode of felony.

We do not regard the ready admission of persons of avowed denominational adherence, as any sign of a denominational tendency in those who seek or grant the admission. Nor, indeed, is that tendency imputable, even where the denomination of the visitor is specially considered. Proselytism is not the end of those who call, or of those who come. Men and women imprisoned for crime have often just as strong an attachment to the creed in which they were reared, as have those who have practised the best portions of that creed, and they are often jealous for its requirements just in proportion as they have departed therefrom; hence it has been found here and elsewhere, that the prisoners are more benefitted by religious instruction from persons of their own creed, than from those of different denominations, other things being equal; and hence, it is with pleasure that we announce that women have sought and been admitted to the cells of the females in the Penitentiary, whose creed and religious practice are in exact conformity to that in which the convict had been reared. This, of course, not to make converts from one creed to another, (the tendency would be to prevent that,) but to insure the readiest access to the heart,—perhaps through the prejudices of the prisoner.

Good has been done by the female visitors to the Penitentiary. Good will be multiplied, it is confidently

believed, by the multiplication of those visitors, who show by their labor and its results that they come to "do good and communicate."

---

### AGENT.

MR. WILLIAM J. MULLEN is still the Agent of the Society, and is constant and indefatigable in his labors to carry out the views of those by whom he is appointed ; and it appears to be greatly promotive of the object of his work, that he is also the Agent of the Board of Inspectors of the County Prison ; so that there is scarcely a beneficial act which he reports to the Society, and receives therefor its approbation, that is not, at the same time, quite within the humane and just views of the Inspectors. And it is gratifying to know that that body regard with entire approval the labors of Mr. Mullen in behalf of some of the unfortunate persons that are committed to the County Prison.

Of course, a large proportion of those who are imprisoned for misdemeanors and felony, have committed the crime with which they are charged : they may indeed hope to defeat all efforts to prove their guilt, or they may seek to create such doubts as may work to their benefit ; but many of them are really guilty, and deserve punishment. But guilty as they are, they have some rights as human beings, and they have interests that may claim respect of some one. And even with these the Agent has some business. He is to be appealed to

for assistance in various ways, such as justice permits and mercy demands. He may find something to do in arranging the outside business, and especially the family affairs of the criminal, so that, while the husband and father may be called to suffer, the innocent wife and the dependent children may have all possible aid from what he can secure to them. The business of the Agent is only to assist such a prisoner in the use of whatever right is left to him ; it is not to interpose himself, or his employers, between justice and its legitimate victims.

Another class of prisoners are committed on suspicion ; and no proof can be furnished of their guilt, save the somewhat vague *ex parte* oath upon which the magistrate founds the commitment. It might be supposed that no agency would be required to save such a prisoner from a verdict of guilty and its consequent imprisonment, and little risk would be incurred, in leaving such a case, generally, to the discrimination of a jury, under the proper instruction of the court. But when is that judge to instruct the jury, and that jury to try the case ? Such prisoners often remain in prison for several months. Not being able to procure bail, they must await the sitting of the court, and then just in proportion to their innocence is the likelihood that their case will not be acted on ; and this from no neglect of duty on the part of the prosecuting officer. With the immense amount of business constantly pressing upon his office, he naturally takes the case which startles most by its criminality ; or, when calling up those of minor character, he is likely to take those for which witnesses have been supplied. Hence the person suffers

longest who is imprisoned for some small misdemeanor, that would scarcely have been noticed but for the malice of the prosecutor, who, knowing the weakness of his case, is willing to wreak his vengeance on the offender by letting him suffer, from want of testimony to prove his guilt. Into these cases the Agent at once inquires, and, satisfied of the innocence of the accused, or that the offence has been more than expiated by the imprisonment which he undergoes on the charges without a trial, he proceeds to arrange a settlement with the prosecutor, and, failing in that, he forces the case into court, (with the consent of the District Attorney,) and thus procures the release of the sufferer, and sometimes the punishment of him who, in the indulgence of a bad spirit, brought about that suffering. We do not mean that the Agent is the Nemesis of the criminal laws; but it is certain that the exposure of a great wrong often inflicts a greater injury upon the offender than he had purposed to the offended. It seems almost impossible to preserve the operation of the criminal law from oppressing those who by accident or error may be placed within its action. The stranger arrested on a trumped-up charged, is as liable to the prison as the most guilty. As a stranger, he is likely to be without friends to go his bail; and still more likely to be without means to pay for defence. His case is at once brought to the attention of the Agent. And, indeed, it may be said of the Agent, with regard to all these matters, that "the cause which he knows not he inquires out;" and some extracts which we shall give from his monthly reports, will show the results of his labors.

It must not be inferred that in all the cases in which the Agent interferes, the prisoner is, or is supposed to be, innocent. The question is not, in many cases, as it regards the fact, but as it regards the extent of depravity, and the effect of continued punishment, and the effect of the loss of time, and the influence of bad associations, not on the prisoner alone, but upon his family.

Sometimes the child is arrested for pilfering. Inquiries are instituted as to the frequency of the act, the character of temptation, and the chance of saving the offender, if legal punishment is withheld.

Sometimes the parent commits some act of violence, of which he is ashamed, and it is evident that imprisonment is only multiplying trouble at home. The Agent visits the prosecutor and modifies his feelings, and then procures from the magistrate a discharge for the offender, who perhaps never before saw the inside of a prison, and by the good feeling restored, is placed in a situation which seems secure from any likelihood of his again occupying a cell.

Family differences are often healed by the timely interposition of the Agent. Coarse habits, some of them on both sides, often lead to quarrels between the husband and wife, and the one that is strongest, and who does the most harm to the other, frequently completes the wrong by sending the sufferer, not always innocent, to prison. Hundreds of this kind of cases are acted upon every year; and when an Inspector of the prison can find time to acquaint himself with the circumstances of the inmates of the cell, he may do much good by exercising his authority to dismiss the prisouer, if in

his power, or by calling the attention of the Agent to the matter.

There is one class of cases to which, in former reports, we have referred, and which are always worthy of the notice of those who visit prisons with a view and an ability to discriminate : it is that of Disorderly Houses. All, in cities, understand pretty well what this term implies, and all who understand the ways of the city know well that the charge might be made with great justice in hundreds of instances which never reach the magistrate's docket. But in very many of the cases that reach the prison record, it is found that the prisoner has not been disorderly, has not done any thing unusual, has not openly committed any wrong. But the poor creature had hired, for one dollar a week, a room of some tenant of the whole house, and, in the mutation of things abroad, a person can be found who will pay one dollar and a-half a week ; and if the one-dollar tenant will not at once come to the new terms, nor quit the house, she can be forced to the one or the other by sending her down to prison on a charge of "disorderly house." Nothing, of course, is to be proved, in court, against the prisoner, *when the day of trial shall arrive* ; But what utter ruin for him or her to await that time ! Such persons cannot find bail ; and so the Agent sees the prosecutor, and the charge is withdrawn, on condition of leaving the house,—and thus fraud and falsehood gain the day. Of course, hundreds of these charges are well founded, that is to say, disorder exists ; but even in such cases the motive for making the charge is little better than that which we noticed above, and the

disorder only becomes intolerable when something can be gained by bringing an accusation.

One very important office of the Agent is to receive the prisoner when he has completed his time, to conduct him to some establishment where employment may be obtained—or failing to find such a place, or the prisoner—preferring to go “home,” the Agent procures for him a railroad pass, and supplies him with clothes, and means for food till he reaches his destination. Much good in this way has been done for young women who, led into vice and crime by city habits, have desired to return to their parents. And in this connection it may not be improper to say, that the several Railroad Companies having termini in Philadelphia, have been most charitable in supplying free tickets, on the application of the Agent, for those who would have continued to do wrong, and to come to the prison, if they had not been helped away.

The whole statement of the Agent, of his success in dealing with important cases, will prove exceedingly interesting to the reader, as they are creditable to him. They will be found at some length in his annual report; but not more than five or six per cent. of all the releases which he procures are mentioned, as most of them are regarded as of less interest. But, in reality, the thousands of cases in which his interference restores the husband or the wife to the family, or saves a boy from becoming a confirmed thief, or a girl from being an abandoned woman, deeply concern society, and are thus important. Those who would know how much interest these trifling cases have, should see the earnestness of

relatives to procure their settlement, and hear the thanks of the released for the successful efforts in their behalf.

Of the many thousand dollars saved to the city by the interference of the Agent in cases which he settles, we say nothing, as our business is with the humanitarian side of the question, not with the pecuniary; though at the present moment even the latter is not unworthy consideration.

NUMBER 1—Was the case of a German boy, who was arrested and committed to prison upon the charge of larceny. After investigating the case, the Agent went to the alderman, and saw that the boy was immediately released. This was a very remarkable case. The prisoner was a boy about seventeen years of age, who came to this port in a German vessel, and did not understand much of our language. He was kidnapped from the vessel by a man who took him to Trenton, New Jersey, for the purpose of putting him into the army. The boy, however, refused to enlist, or to give his consent to this proceeding.

He was then brought back to Philadelphia and put into the hands of a shipping master, who had him shipped, and received fifty dollars (\$50) of his advance pay; no portion of which was given to the boy, but twenty dollars were given to the man that kidnapped him and tried to dispose of him at Trenton. The boy refused to be shipped, and because he would not, a false charge of larceny was made against him, and he was sent to prison. This was done in the hope of frightening him, and in this way forcing him to ship or enlist.

The parties accused him of stealing a coat. The investigation of the Agent showed that they had loaned him the coat which they accused him of stealing. This charge was made a pretext to enable them to imprison him until he should consent to be disposed of as they wished. The Agent went to the committing magistrate, and to the prosecutors, and told them, in a manner not to be misunderstood, that if they did not immediately release the boy from prison, he (the Agent,) would bring the case before the Court, in such a way that would not only insure the prisoner's release, but would, in all proba-

bility, result in the imprisonment of those who had conspired against this unfortunate young stranger. When this had been said to the alderman, he sent for the parties, who consented to the immediate release of the prisoner.

This case was truly distressing, as he was a stranger in this country, and without friends. It was a clear case of conspiracy on the part of bad men, who were willing to sacrifice this boy, to put money into their pockets. As it was, he was at once discharged, without costs.

NUMBER 2—Was the case of a colored woman, who was accused of larceny, an offence of which she was not guilty, as was shown upon an investigation of the case by the Agent. The fact was, that the prisoner had benevolently taken the prosecutor, who was a white woman, into her house and given her shelter for the night. On the next morning, this woman took a portion of her clothing and pawned it, then went into a rum-shop, purchased rum and got drunk. She left the pawn tickets in the rum-shop, with her own name upon them. This showed that she had herself disposed of the very clothing which she had accused the prisoner of stealing. After the Agent had discovered this fact, he informed the magistrate, who promptly discharged the prisoner, instead of detaining her for trial at the next court.

NUMBER 3—Was the case of a man who was charged with the larceny of two newspapers from the premises of one of our principal hotels. The prisoner said he did not steal the papers,—that a gentleman, who was a stranger, bought them, read them, and then threw them away, when he (the prisoner) gathered them up. The Agent inquired into his character, and found it good. He had been employed as a book-keeper in a mercantile house in this city for eight years, and only left when his employers gave up business. The proprietor of the hotel where the alleged offence was committed, gave the Agent a written statement, to be presented to the District Attorney, asking for the immediate release of the prisoner, which was cheerfully given by the Court. The prisoner was respectably connected, and his prompt discharge was appreciated by himself and family.

NUMBER 4—Was the case of a colored woman, who had been committed to prison on the charge of larceny. On an investigation by

the Agent, it was ascertained that she had received two articles from the prosecutor, to wash. While in her charge, some person, in her absence, had stolen them. The prosecutor was not satisfied with her account of the matter, and had her arrested and committed upon the above charge.

The property was afterwards found in a pawn-shop, where it had been pawned by the thief in her own name. The Agent informed the magistrate of these facts, and showed that the prisoner had been robbed of these articles by the party who pawned them. The prisoner expressed a willingness to pay for the articles, as soon as she was able to do so; but this availed her nothing, and she was committed to prison. When the true state of the case was made known to the magistrate and the prosecutor, the prisoner was honorably discharged.

NUMBER 5—Was the case of two colored men, who were strangers in our city; one had been committed for assault and battery, and the other upon the charge of swindling. An investigation showed both of these charges, not only to be false, but that the prosecutor himself was actually the guilty party, he having robbed one of the prisoners of his watch, and taken from them a bag containing clothing which belonged to both of them.

All this was done for the purpose of distressing them, in the hope of compelling them to enlist for three hundred dollars (\$300) each, which was the amount this unscrupulous man offered them, being less than half the sum the Government and the ward associations were giving at the time.

As they were British subjects, just arrived from Nassau, and as they did not wish to enter the army, they refused his offer, asking him at the same time to restore their property. He declined to do this, and because they complained of his bad conduct, he brought the false charges against them, and had them sent to prison.

The Agent immediately applied to the Court for a writ of *habeas corpus*. This was granted by Judge LUDLOW, and, on being brought before the Court, they were discharged. The Agent then accompanied them to the British Consul, who took charge of them, supplied them with comfortable lodgings, and promised, at the same time, to send them back to Nassau. He also said he would compel the prosecutor to give up the watch and clothing which he had taken from them.

**NUMBER 6**—Was the case of a man and his wife, who had been imprisoned by his sister, upon the charge of larceny. The offence consisted in the wife having taken some clothing out of a trunk, and which she pawned for five dollars, to enable her to get bread for her starvin : eldren. The husband was out of employment at the time. It was mid-winter, and they were without fuel to keep themselves and their children warm. Their three little ones were really in a suffering condition at the time when this woman took the things which her sister-in-law had left in care for safe keeping.

She hoped that her husband would soon get employment, and earn some money to enable her to redeem the articles before her sister-in-law came for them ; but her hopes, in this respect, were not realized. When the sister discovered that her clothing had been taken from the trunk, she was very angry, and, in the excitement, sued them and had them committed to prison.

Thus they were separated from t' eir children, who were left locked up at home, with no person to care for them. The Agent immediately called upon the prosecutor and reasoned with her, when she consented to the release of the prisoners, and expressed her sorrow for having imprisoned them. She at once offered to pay all expenses, and they were discharged.

**NUMBER 7**—Was the case of two colored women, who were very poor, and earned their living by washing. One of them had an infant with her, at the breast. She had received some clothing from a man, to wash. When she had finished the job, she expected the pay for what she had done, to enable her to get the neccssaaies of life for her family; but in this she was disappointed. The owner of the clothes informed her that he had not money enough to pay for the washing of all of them, but would pay for a part, and would leave the remainder until he came again. She told him this would not suit her, that she wanted the pay for the washing at once; but he did not pay her. Subsequently she requested the girl who lived in the house with her to take the things and pawn them for a sufficient sum to pay herself the balance for the washing.

The owner came for the remainder of his clothing, when she told him what she had done with them, and offered him the ticket. that he

might redeem them. He declined to do this, sued the two women, and had them committed to prison, together with the infant. After this the Agent saw that the things were redeemed and returned to the owner, when the prisoners were immediately released.

**NUMBER 8**—Was the case of a woman who was improperly committed to prison upon a charge of the larceny of a cloak. The investigation showed that the cloak had been given her, by the owner, to pawn. The Agent saw the prosecutor, and obtained her consent to the release of the prisoner and to pay the costs. The prisoner was confined of an infant during the short time she was a prisoner. She had had also a little boy at home who needed her care. The prosecutor took charge of him while his mother was imprisoned.

**NUMBER 9**—Was the case of an old man and his son, imprisoned by his wife upon the charge of assault and battery. She was the second wife, and there were two sets of children. She desired him to put his children out of the house, and to retain hers. He refused to do this. He and his son were very industrious, and were good workmen. They were willing to work for the support of all; but this did not suit the wife: she wanted the house to the exclusion of his family. About this they quarrelled, and came to blows. The son protected his father, and she had them both committed to prison. The Agent succeeded in convincing her and the magistrate that they were wrong in having them imprisoned. They then consented to their discharge, and the difficulty was adjusted by the Agent's interference.

**NUMBER 10**—Was the case of a soldier who was on furlough. He had been over a year in the Libby Prison, and had suffered every thing short of death. While passing through our city, on his way to New York, some person treated him, drugged his liquor, and robbed him of over one hundred dollars, and then had him committed to prison upon the charge of abuse.

The Agent saw that he was immediately released, and gave him some money to assist him on his way to New York.

**NUMBER 11**—Was the case of two women, mother and daughter,

who were imprisoned upon the charge of the larceny of five dollars from a sister-in-law.

The money had been taken by the daughter, who believed she had a right to it. This money had been left by the brother with his wife to be used for the benefit of his sister, if she needed it during his absence in the army. His sister, one of the prisoners, was a cripple, and had been sick for five months. Her mother had nursed her and cared for her in the absence of the son. They were in want of the necessities of life, and asked the sister-in-law for some money; but she was selfish, and would not give them any. The consequence was, that the sick sister went to the trunk, and took out five dollars, and expended it for the benefit of herself and her mother. For this they were both committed to prison. The Agent went to the prosecutor, and convinced her that she and the magistrate had committed a great wrong in imprisoning, under the circumstances, the mother and sister of her husband in his absence.

When she was made to understand, in a manner not to be mistaken, that her husband would, in all probability, hold her accountable for her improper conduct toward his mother and sister, she consented to their immediate release.

NUMBER 12—Was the case of the mate of a vessel, who had borrowed seventeen dollars (\$17), fourteen years ago, from a sea captain. The parties met in about ten months after the money had been borrowed, when the prisoner paid seven dollars on account. They met again in about a year from this period, when a second instalment of nine dollars was paid by the prisoner, which left but one dollar to be paid. They then separated, and subsequently, in about twelve years, met again in this city, when a dispute arose between the parties about the balance owing. The captain contended that the balance due him was ten dollars, with interest, instead of one dollar, as the prison said. The result was, the prisoner was arrested and committed to prison for the debt. As the imprisonment was illegal, the Agent applied for a writ of *habeas corpus*, and had him discharged by the Court, in time for him to take his position in the vessel before she sailed from our port. This was accomplished by Judge Allison authorizing his discharge without costs.

NUMBER 13—Was the case of a young officer belonging to the Navy. He had indulged too freely in intoxicating liquors, and while on his way home at a late hour, sat down upon the foot-path and fell asleep. Subsequently he was aroused by a police officer, who, as the prisoner thought, handled him rather roughly, and he therefore made some resistance, and tore the officer's clothing, for which he was sent to prison. The Agent saw that the officer was compensated for the damage done, and the prisoner was immediately released, and permitted to return to his position in the Government service.

NUMBER 14—Was the case of a woman who had been treated with cruelty by her husband. He came home about four o'clock in the morning, knocked at the door and asked to be admitted. His wife came down and let him in, but complained of his improper conduct, when he struck her on the face, knocked her down, and beat her so badly that she became insensible. He then dragged her by the hair of her head into the yard, at which time the neighbors interfered and prevented him from committing any further violence upon her. After he had done this, he went to an alderman's office, sued her, and had her committed to prison upon the charge of assault and battery,—an offence of which she was not guilty, but, on the contrary, her bruised and battered person bore unmistakable evidence of the terrible assault that he had committed upon her while he was in a state of beastly intoxication. Notwithstanding all this, which was self-evident, she was committed to prison upon the testimony of this drunken husband.

The case was immediately investigated by the Agent, who saw her neighbors, all of whom spoke well of her, and were willing to bear testimony to the inhuman treatment which she received from her husband. When the Agent made known these facts to the alderman, he at once gave an unconditional discharge, without costs, and she was permitted to return to her home and take charge of her children.

NUMBER 15—Was the case of a respectable Jewess, who is a widow having two children, one a boy in Girard College, and the other an interesting little girl. Her opposite neighbor had quarrelled with her, and had broken down her grape-vines and flowers. For this the prisoner had sued her, and had her bound over to appear at court, upon

the charge of *malicious mischief*. As soon as this was done, the party sued her before the same magistrate, upon the charge of assault and threats, an offence of which she was not guilty. As she was poor, and unable to find bail, she was committed to prison. Her little daughter went to the College and informed her brother of their mother's imprisonment. The Superintendent of the College gave him liberty to go and look after the case, provided he would return by ten o'clock in the evening. He came to your Agent, in the prison, accompanied by his little sister, and begged, in tears, for the release of their mother. The Agent took charge of the case, went to the prosecutor, and prevailed upon her to accompany him to the alderman's office, and give consent to the settlement of the case, with the understanding that the prisoner should withdraw the charge that she had brought against the prosecutor. This was agreed to, and both suits were settled to the satisfaction of all concerned. In this manner, through the Agent's interference, the prisoner was released in a few hours after she had been committed.

The children were greatly rejoiced at the liberation of their mother, and the boy had the satisfaction of taking the discharge of his mother to the prison about nine o'clock in the evening, in time to enable him to return to the College by ten o'clock, as he had promised.

---

## SEPARATE CONFINEMENT.

The system of separate confinement is that to which the Philadelphia Society for Alleviating the Condition of Public Prisons, may be considered as having pledged itself; not solitary confinement, not the seclusion of the unfortunate convict from all intercourse with his kind, all sight of the "human face divine"; but only "from the ways of men shut out"—from association with his fellow-convicts, and with those whose occasional visitation

would work mischievous effects ; but with a few of the benevolent, the good, the humane, he is to have his cell enlightened, and his seclusion rendered durable,—*separate* from criminals and other convicts, separate from ordinary intercourse, but not *solitary*. The experience of all who give a careful attention to the subject of prison discipline, and its effects—its permanent effects on the convict—is leading to a general conclusion favorable to the humane and improving system that marks the Penitentiary regulations in this city, and which, in some degree, obtains in the Philadelphia County Prison.

We do not, in this Report, argue the question of Separate Confinement. The principle and its execution have been discussed by an abler pen, in a former number of this Journal. It is now time to await the results of experience, and record the expressions of the convictions to which that experience leads. That is due to ourselves—it is eminently due to the cause of humanity as connected with the subject of prison discipline.

Acting from the influence of closely observing philanthropists, the British Parliament, some years ago, passed an Act providing for the separate imprisonment in jails as well as in “Bridewell.” The Act was largely in advance of public opinion, and of course it never went into full effect. Recent inquiries and Reports show that public opinion needed enlightenment ; and we may suppose that the good work of giving general information is going on, as we see, in the British Reports, constant laudations of the “separate confinement system,” and assertions by governors of prisons, that they are coming to the conclusion that such a system of punishment is

the only one that can give the least hope of improvement. In a former number of this Journal we gave extracts from reports of investigations, which sustain what we have here asserted.

After discussing various questions of prison discipline, and noticing the disturbing causes, and marking the failure of many attempts, the New York Report, from which we have made copious extracts, says:

The question then returns upon us: what is the remedy for the evil of which we complain, and under which the whole community is suffering, and that in many ways? The answer to the question really depends upon the answer to be given to another: *Is association the seminal evil of our jail system?* If it is,—and on this point there can be, we think no difference of opinion,—then the fundamental remedy is the abolishment of association. In other words, it is INDIVIDUAL IMPRISONMENT: the separate confinement, in a cell appropriated exclusively to himself, of each prisoner committed to our common jails.

The Prison Association of New York has not the power to change or modify directly the discipline of any prison in that State; but it has the ear of the Legislature, and through that Legislature it has access to all the people of the Commonwealth, and hence we may suppose that the utterance of such an opinion as we have copied above, must produce some effect on the public mind. The conclusion to which almost every one must arrive who visits often, and observes attentively, the criminals of prison cells, and the conclusion to which this Committee comes, is that, as a general rule, social imprisonment, confining more than one person in a single cell, is injurious, and precludes almost entirely all hope of moral improvement from imprisonment.

The system of separate confinement, it is believed, (and the belief is sanctioned by close observation, with an intention to form a judgment, and with an opinion somewhat given to an opposite conclusion, by a part of those who here express the belief,) is as necessary to improvement in jails as in penitentiaries; in the incarceration of vagrants and drunkards and the untried, as in the convict. And we suppose no one will doubt that the untried are as much (and why not more?) entitled to sympathy as the convict: that those whom the law considers innocent because not proved guilty, shall be at least as well cared for as those whom the law and its courts have pronounced guilty of felony,—that they shall be placed in positions as comfortable and as likely to insure moral improvement, as the convict.

Yet the untried prisoner is usually placed in a room with numerous others, and exposed to all the evil influences which bad association insures. If not guilty in fact, when arrested, he usually becomes morally guilty, by the time his trial takes place. The stranger, incarcerated for the first time, and unable to procure bail, soon learns the vocabulary of the fraternity of rogues, and, in proportion to the hopelessness of his condition he assimilates to the character and habits of his companions.

Thousands in this very city owe their degraded condition to the destructive influence of the prison cells. The man could have survived the charge of felony or "misdemeanor," but he fell beneath the blow of bad associations. The woman, if alone, might have sustained herself against the consequences of imprudence

or intemperance, but the enticements and debasement of the worst of her own sex were irresistible ; and the State penitentiary owes the multitude of the solitary occupants of its cells to the social degradation consequent upon companionship in the apartments of the county prisons.

We cannot, perhaps, better supply our own deficiencies in the argument on the subject of separate confinement, than by adopting, in this chapter, part of a correspondence between the Secretary of "The Board of Charities of Massachusetts," and the "Moral Instructor of the Eastern Penitentiary of Pennsylvania." Mr. Ruth speaks from experience—from that kind of experience which teaches. It is not probable that he was selected for his present most useful office from any pre-conceived opinions favorable to the particular system of confinement that distinguishes the prison-house in which he was called to labor. It was the men, and not the system—it was their improvement in morals, and not the character of their punishment, with which he was to deal; and his fitness for the discharge of the duties of instructing the head and the heart, cultivating the mind and the affections, was alone regarded in his selection; and we are happy to say that the results have justified the opinion upon which his offer of services was accepted. The separate system of confinement, then, has a new defender and advocate, in a gentleman of education, whose habits of observation have had considerable exercise, and whose means of judgment, and whose power of discrimination are admitted by all; and, let it be added, by way of confirmation, that the unfortunate

convicts who have had an experience of social confinement, admit that if they are to be improved in morals, and saved from the repetition or multiplication of their crimes, these ends are only attainable by the means of separate confinement, and faithful, persistent moral suasion.

---

BOARD OF STATE CHARITIES, }  
Secretary's Office, 12 State St., Boston, Sept. 1, 1865. }

REV. JOHN RUTH,

*Moral Instructor at the Eastern Penitentiary, Phila.;*

MY DEAR SIR :

Since our conversation respecting the convicts under your instruction, when I visited your Penitentiary in June last, I have been desirous of writing to you, to ask you some questions on that most interesting subject, the working of the separate system of confinement. I have waited, however, in order to send you the accompanying work of Miss CARPENTER, which I beg you will accept and read, and then give me your views upon it. The facts and arguments there stated, I think, will command your attention; and I am desirous of knowing how they will impress a gentleman who, like yourself, has had great facilities for studying the separate system of imprisonment.

The questions which I wish to ask you, and which I shall be glad to have you answer at some length, if your convenience will allow, are these : .

1. Do you perceive any physical or moral effect resulting from the separate confinement of your convicts, which is peculiar to the first year of their prison life? That is, does their health suffer at all, and if so, does it suffer more or less in the first year? or does the effect upon their minds and hearts seem to be greater, or more beneficial in the first year than afterwards, or is it less felt? In either case, to what would you ascribe the difference?

2. Is there, in your opinion, a limit beyond which it is not safe to go, in prolonging the confinement of men in your prison; and if so, what is that limit? Is it five years, ten, twenty, etc., or is it less than five; and would you think it desirable to change separate confinement into any form of associated labor, after the limit assigned is reached, or should the convict then be discharged, and placed without restraint in society again?

3. Is the classification of convicts *individually*, according to your system, in your opinion indispensable, or might another classification of them be made which would secure to them freedom from contaminating influences, and at the same time bring them more conveniently and naturally under the instruction of their officers? In short, is not your system, with all its modifications, still an inconvenient, and in some respects a hurtful one, considering the best means of promoting the convict's reformation?

4. What do you consider the best remedy for that excessive consideration of his own physical, mental, and spiritual condition, which seems to be inevitable when men are thrown much into solitude? Are not the moral dangers of solitude very great, and can they be considerably diminished by any means except a partial or complete restoration to society? Do not your convicts prey upon themselves, and impede their own reformation by their morbid self-contemplation?

5. To what extent does real reformation follow the discipline of your prison, and how could it be made more common?

6. To what extent could the Irish system be introduced in your prison, and would it be desirable to introduce it?

7. What is your opinion, concisely stated, of the actual working and results of the Philadelphia system?

In answering these questions, my dear Mr. RUTH, I beg you will feel free to wander from them, and to give me information upon any point which may seem to you important; for I have, no doubt, omitted topics which will occur to you, and I am sure that what you deem of interest, will be so to me. I wish to make use of your answers, in

preparing that part of my Annual Report which relates to Prisons; but I will be guided by your wish, in quoting you as authority.

I write to you because of our conversation on these subjects last summer; but I bear in mind also the information afforded and the courtesy extended me by Mr. HOLLOWAY and Mr. OURT, to whom I desire to be remembered.

I received from the latter the Reports which I wished for, and now have a complete set of your Reports, lacking one. I value them highly; and although I do not, perhaps, take the same view of your Prison System that is held by yourself and those connected with it, yet I know how to value zealous labors and important results, such as I certainly witnessed in the Eastern Penitentiary.

With great respect, truly yours,

J. B. SANBORN.

STATE PENITENTIARY FOR THE EASTERN DISTRICT OF PENNA. }  
Philadelphia, Penna, October 26th, 1865. }

B. F. SANBORN, Esq.,

*Secretary B. S. Charities, Boston, Mass. ;*

DEAR SIR:

Your favor of September 1st, with the accompanying package, was duly received by express, for which please accept my thanks.

The "facts and arguments set forth" in Miss Carpenter's book are of a decidedly practical character, and cannot fail to do much towards advancing the cause of prison science. Nevertheless, if we compare the "British" and "Irish" systems with the Pennsylvania system, I am fully prepared to give my testimony in favor of the latter. The separate system is the only one, in my judgment, in which punishment and moral instruction can be so combined as to make the criminal feel his degradation and earnestly desire a higher and better life. On the congregate system, in any of its phases, the criminal is wont to throw himself and his crimes into the general mass. On the Pennsylvania

system, he is compelled to individualize his crime, while those who have the charge over him have the opportunity to study his character and direct their attention specially to his social and moral improvement. I regret that, for want of time, I shall not be able to answer your questions, except in a very succinct way.

As to the first I would remark : as far as I have been able to observe, the health of our convicts has remained good, as a rule, and, in many cases, broken-down health has been restored ; and this rule holds good, whether the term of imprisonment be for a longer or shorter period. As to the beneficial results in a moral respect, much depends upon the early educational and social training of the convict. In many cases, the first year's confinement makes but little impression of a permanent character. This statement is true particularly in regard to illiterate youth. Further, my observation would lead me to say that I do not perceive any physical or moral effects resulting from the separate system which are peculiar to the first year of prison life, that can be construed into an argument in favor of any other system.

As to your second inquiry, I would reply : in my opinion, there is a "limit beyond which it would not be safe to go, in the separate system;" but where to fix that limit could only be determined by a knowledge of the physical and mental status of the criminal,—to arrive at which would be a very difficult task for a judge with mere finite capacities. It is not unusual with us for a convict to go out, after five or seven years' confinement, in better health, and with better morals, than he possessed when he was locked up. I do not think it at all desirable, at any period of confinement, to resort to associated labor, but, on the contrary, if a convict evinces thorough reformation, it would be better for the "Board of Inspectors" to recommend him to Executive clemency, and that he be fully restored to citizenship.

In reply to your third inquiry, I would give it as my opinion, that while our system is not the most convenient for securing remunerative labor, it is much more humane, and furnishes much better advantages for secular and moral instruction, and consequently greater facilities for reformation, than any other arrangement of which I have any knowledge.

Your fourth question has several members, and in answering it intelligently, I shall have to take them up separately.

First. As to "the best remedy for that excessive consideration of his own physical, mental and spiritual condition which seems to be inevitable when a man is thrown into solitude." I consider suitable employment for working hours, and a good library for leisure, the most available. With a plenty of work, and a good supply of reading matter on hand, a prisoner rarely feels oppressed by his separation from society, after the first month of his incarceration is past.

Secondly. You ask, "Are not the moral dangers of solitude very great," &c.? I grant you they are; but in my judgment, when criminals are associated together, the opportunity for the corruption of morals is greatly increased.

Our system is such, that each cell being a work-shop, and the overseer of each branch of labor coming in contact with the prisoner several times during the day, the Warden, Physician, Librarian, School Teacher and Moral Instructor, the Board of Inspectors and Visiting Committee from the Prison Society, making frequent visits, so diminish the moral dangers of solitude, as to preclude the necessity of association of prisoners, either in part or entire.

Thirdly. You ask, "Do not your prisoners prey upon themselves, and impede their reformation by their morbid self-contemplations?" To answer otherwise than in the affirmative, would be to mislead; but I think you will find, upon inquiry, that the evil to which you allude, exists to a greater or less extent in hospitals, asylums and Penitentiaries where men are congregated together; while you will certainly concede the fact that the separate system furnishes the best means of counselling men upon the surest methods of preserving both health and morals.

In answering your fifth question, "To what extent does real reformation follow the discipline of your prison, and how could it be made more common?" I would remark: We have followed with inquiry our discharged prisoners as fully as our limited facilities would allow, and find that very many of them have become good citizens; but, as most of them become lost in the masses, we can judge more correctly, as we think, from our statistics of commitment, which will show that out of nearly six thousand convictions we have had but about nine and a-half per cent of re convictions. Our educational facilities add greatly to our chances of success. Even the rudiments of an education, when

received in combination with faithful moral instruction, becomes a sort of indemnity against crime. To make reformatory more common, we have only to apply ourselves faithfully to our work.

In regard to your inquiry with reference to the "Irish system," I do not think it would be at all desirable to introduce it into our prison. For while I do not claim for our system perfection, I think we have the true theory, and all we have to do is to add such improvements as commend themselves, adopting those only which are in keeping with our usage.

In your seventh and last question, you ask my opinion, concisely stated, of the actual working and results of the Philadelphia system. This question is in part answered in the replies which I have made to the preceding inquiries. But to answer a little more fully, I would state as to the financial working and results of our system, I am hardly competent to express an opinion. I do not think, however, they would meet the financial notions of a "Down Easter." I will venture the opinion, however, that our system can be carried out in all its details, and yet be made nearly self-sustaining. In a moral point of view, in my judgment, the actual results of our system most conclusively warrant its continuance, while it strongly commends itself for adoption wherever improvements are to be made or new prisons are to be built. You will see from the above, that I am fully committed to the separate system. This was not the case when I became Moral Instructor to the Philadelphia Penitentiary. For some time after entering upon the duties of my office, I inclined to the idea that association in some form would be better; but having had ample time to examine the practical results and compare them with the working and results of the associated or congregated systems in the adjoining States I am fully convinced that ours is the best system of which I am able to obtain any intelligent information.

I am glad to find you taking so much interest in prison science, and sincerely hope your labors may be crowned with marked success. The field is a wide one, and calls for the labors of the wisest heads and best hearts in the land. None of our systems are so complete as not to admit of modifications and improvements.

You are at liberty to criticise my views, and make such use of them

as may suit your convenience. I will do all I can towards giving publicity to Miss Carpenter's work, "Our Convicts."

I shall be glad to hear from you at any time, or see you at our prison.

Yours, truly,

JOHN RUTH.

---

## MOVEMENT OF THE ACTING COMMITTEE AND SOCIETY.

The Acting Committee of the Society has been constant in its efforts to promote, throughout this State, the views and object of the fathers of the association, and they have not been without encouraging returns. Amidst the calls of professional and business engagements, a large number of persons, in several counties, have expressed deep interest in the movement of the Society, and professed themselves anxious to participate in its labors; and two auxilliary societies have been formed, and the highest hopes of their usefulness in the good work are warranted by the character of those who compose them.

Last summer the Society received an invitation from scientific and philanthropic gentlemen, to assist them by a deputation to a Congress to be held at Boston, on the subject of "Social Science." Without meaning to pledge itself to any labors that might not be entirely consistent with its simple plan of action, the Society accepted the invitation, and appointed JEREMIAH WIL-

LETT'S and JOSEPH R. CHANDLER as its representatives to that proposed Congress. Most unfortunately, both of these delegates were, by ill health, prevented from discharging the duties of their mission, though both had made preparation to be present.

The meeting at Boston was held, and papers were read, and questions discussed upon various branches of "Social Science." One action of the meeting at Boston was to recommend the formation of Leagues to promote a more extensive knowledge and insure a larger practice of "Social Science." All that relates to "Social Science" concerns "The Society for Alleviating the Miseries of Public Prisons;" and hence, in the reports which fill our Journal, chapters are given the consideration of some branches of that subject. In the present number, we have been unusually liberal with our space in that direction. Whether, however, the Society shall burthen its action, and, perhaps, impede its progress in its simple course, with a direct connection with any formally organized attempt to promote "Social Science," is for the decision of its members. It is probable, however, that the invitation to consider and aid the proposition from Massachusetts will arrest the attention and command the services of many members of the Society in some separate and substantive organization. The subject is one that concerns all society, and should command the best interests of the country, that may be used in that direction.

The Acting Committee are happy to state that it has not been called upon to part with any of its members during the year now brought to a close. WILLIAM PAR-

KER FOULKE, formerly an active member, to whose pen the cause of humanity was indebted for an admirable exposition and defence of the system of "separate confinement of prisoners," died some months since, and a recognition of his former services to the Society was made by appropriate resolutions of regret at his death, and sympathy with his family.

It is gratifying to state that while the meetings of the Acting Committee have been usually well attended and questions of interest have been discussed and settled, there has been great harmony among the members, and most gratifying concurrence in all measures for the promotion of the objects of the Society.

For a notice of the labors of the sub-committees, we refer to the heads of County Prison and Eastern Penitentiary, and other parts of this Journal.

---

## PROCEEDINGS OF THE SOCIETY.

The regular meetings of the Society, as distinguished from those of the Acting Committee, have been well attended, and the business that required the discussion and decision of the body, received attention, which denoted a profitable interest in the members. The quarterly meeting in January was chiefly occupied with the consideration of the Report of the previous year's labors, and the election of officers and committees for the present year.

The quarterly meeting for April occurred about the time that the nation was shocked by the assassination of President Lincoln, and the attempt to take the life of the Secretary of State. An event so astounding and so important, and at a moment when the war which had for four years desolated the South, and almost decimated the North, the East and the West, called from almost every organized body in the loyal States an expression of indignant condemnation of the act, and of sorrow for the loss which the country sustained thereby, both in the death of the honored President and in her fair fame. Even those who had been in arms against the Government, and had made President Lincoln the exponent and representative of the conduct and principles, which they were opposing by the most gigantic civil war that has ever furnished events for history, felt the outrage which had been done in the name of their cause, and saw how the blood of a martyred President was to become the fruitful seed for a great harvest of philanthropy and patriotism. Nor was the expression of horror at the outrageous act, and regret at its consequences, confined even to this country. The most powerful nations of Europe, though having no sympathy with our form of government, felt called on to make protest against an act that involved our nation in mourning and them in apprehension. And it was a beautiful sight to see parliaments of monarchical nations pausing in the midst of deliberations on home policy, and the means of extending or defending possessions, to denounce the murderous act that plunged the United States in grief, and to offer expressions of sympathy which had their motives

in high respect for the nation, suffering the loss of its Constitutional Chief, and in a just appreciation of the manly, simple virtues, and the self-sacrificing patriotism of the man who perished by the hands of assassins. In Europe, in South America and wherever the flag and the principles of the United States are known, there was an honorable and a consoling manifestation of regret for the death of a good man, who represented the best qualities of republicanism.

While all around us, in the vicinity, such measures were being taken, and such resolutions adopted as expressed the grief of the people in their individual and their associate conditions, for the loss which the country sustained in the death of their President, it seemed meet that this Society should at once give expression to the feelings of its members on such an important event, and show that it was capable of appreciating the virtues which made the dead President a martyr, and of comprehending the effects of such outrages upon national characters, if they went uncondemned by public sentiment. In this view of the duties of the Society, it was deemed proper, at the quarterly meeting in April, to place upon record an expression of the profound respect for the late President, Abraham Lincoln, and its condemnation of the act by which the country was deprived of his services. Accordingly, a series of resolutions was proposed, and promptly and unanimously adopted; but as the intent to have them published accidentally failed in fulfilment, it is deemed appropriate to place them in the authorized publication of the Society, so that it may be understood that, while the Society eschews all that

partakes of mere party politics, it has, and professes and improves, a right to express a deep interest in what concerns the cause of humanity—an interest augmented by a consideration that the fate of a good man and the interest of the nation are involved in the matter.

The following are the preamble and resolutions, as they were adopted.

*Extract of Minutes "A."*

At a Stated Meeting of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," held 4th mo., 26th, 1865, the President announced, in feeling terms, the death of the late President of the United States; whereupon, on motion, the regular proceedings of the Society were suspended.

Joseph R. Chandler offered the following resolutions, which were unanimously adopted.

Grief for the loss which the Nation and the cause of humanity have sustained in the death of Abraham Lincoln, President of the United States, and especially from the manner of his death, is so general, that a neglect in any corporate body, and, in particular, in one whose object is Philanthropy, to make official notice of the event, might be construed into indifference, as to the loss of the Nation, and the disgrace of the crime, or inability to appreciate the truly benevolent as well as patriotic character of the distinguished dead. To avoid such an imputation, and to make some expression of existing feelings, it is

*Resolved*, That the Philadelphia Society for Alleviating the Miseries of Public Prisons participate fully in the public grief, at the loss which the Nation sustained in the untimely death of the late President Lincoln, whose unselfish zeal in the cause of humanity made illustrious his administration of the affairs of the country.

*Resolved*, That while the late President of the United States was in no way accountable for the terrible civil war in which the Nation has for more than four years been involved, this Society believes that he

accepted the events which treason forced upon him, and incidentally directed the power with which the war invested him, to make the common evils, which the unhappy events made unavoidable, as supportable to the loyal citizens as the circumstances of the country rendered possible.

*Resolved*, That while the administration of President Lincoln was made eminently glorious by the success which has recently followed the efforts to put down treason and rebellion, his character as a man, and a magistrate, has derived additional lustre from the gentle virtues which distinguished all his public acts, and especially from the beautiful exercise of clemency towards those whose conduct exposed them to severity, and whose defeat placed them at his mercy.

*Resolved*, That without indulging in ourselves, or reproving in others, any feelings of personal or party acrimony, the members of this Society make this simple expression of their respect for the memory of a man who used his exalted position to exercise and illustrate some of the highest of civic virtues, and by them to gain for himself a reverence even higher than the regard which his lofty position might claim; and it is

*Ordered*, That these proceedings be spread at large upon the records of the Society, that those who may come after us may know that we, in appreciating the worth of a good man, and a conscientious and successful officer, feel justly, and denounce earnestly, the outrage upon the Nation, of the atrocious crime which removed that officer from the further discharge of his duties, and the high enjoyment of the evidences of public gratitude for the service which he had performed.

Nor is it a matter of indifference that the clemency of the deceased President found exercise in securing to his enemies and the enemies of his country, an "alleviation of the miseries of public prisons," to which their misfortunes or their crimes had consigned them.

*Resolved*, That while we thus profess our profound sorrow at the death of the President of the United States, and our deep mortification at the national dishonor which the manner of his death inflicted, we rejoice that William H. Seward, the Secretary of State, survives

the assassin's murderous attack; and we cherish the hope that the Nation is again to be benefitted by the services of that distinguished Statesman.

Extracted from the Minutes.

JOHN J. LYCLE,  
EDWIN TOWNSEND,  
*Secretaries.*

---

## LEGISLATION.

The efforts to interest the Legislature of this State in the subject of prison discipline and prison order, and to connect the almshouses of the several counties with responsibility to the State government, were not entirely successful. The Governor of the State did all that was incumbent on him as a public functionary and a philanthropist, and it does not appear that the failure of the Legislature to pass the bill, which a proper committee reported, was owing to any unwillingness, on the part of that body, to do justice to the subject presented to them. There are questions pressed by personal interests, and from considerations of public good, that will generally take precedence of movements that involve no interests that have been under general discussion. Much of the legislation of the General Assembly of this State, and the law-making bodies of other Commonwealths, is supplementary to some previous Act, and is required to give efficiency, or correct the errors of former doings. In addition to the ordinary duties of the Legislature of Pennsylvania last year, the state of the nation was

occupying public thought, and demanding peculiar legislation. It was not the nation alone that had to provide ways and means for carrying on the war,—every loyal State was straining its credit to the utmost tension, and every Legislature seemed to sit awaiting what new means must be adopted to second the efforts of the General Government. And though time enough might have been found to pass the bill to which we allude, and many others that did not reach a final reading, yet we understand well, that the occupation of the legislative mind by the national emergencies, might prevent that consideration of the important subject to which we refer, which is necessary in satisfactory legislation; might, indeed, so divert the attention of both houses as to prevent any consideration. The matter was considered by the joint committee of the Senate and House, to whom was referred the letter from this Society to His Excellency the Governor, and that consideration resulted in a report, which, for the sake of maintaining a history of the efforts of the Society, and to give the progress of the measure, we subjoin.

---

### R E P O R T

*Upon the Condition of the Prisons and Almshouses of the Commonwealth of Pennsylvania, as made by a Joint Committee of the Legislature appointed for that purpose.*  
Read March 13, 1865.

Mr. Guernsey, from the committee to whom was referred that portion of the Governor's message which relates to the penitentiaries and prisons, and also to the almshouses in the State, made report, viz :

That they have given to the subject that careful consideration to which it is entitled, on account both of true policy and of sound philanthropy. And without referring directly to other facts than those set forth in the document which accompanied the Governor's message, they will offer some of the reasons why improvements should be made in the administration of both the penal and the pauper laws of the Commonwealth; reasons upon which are founded the bill which accompanies this report, and which it is hoped will induce legislation that shall correct existing evils, and ensure a constant improvement in all that concerns the construction and management of the prisons and the almshouses in the State.

Among the many branches of philanthropy which have distinguished Pennsylvania, is that which relates to prisons; and it is no exaggeration to say that our Commonwealth is proudly distinguished in the Union, and most highly esteemed throughout Christendom, in consequence of the construction of her two penitentiaries, and by the discipline and general administration, and the peculiar system of dealing with the convicts that occupy the cells of those institutions. These things work benefit in the right direction, and they attract attention, and almost invariably excite applause from abroad. Within the walls of these two prison-houses was tried the great experiment of separate imprisonment; and the question whether the house of punishment could be made the school for cultivating the affections, and awakening the public offender to a sense of his own erroneous position as a man, and inducing in him the resolution to avoid in future the errors of his past life, has been settled in the affirmative, to the lasting benefit of the repentant criminal and the unfailing honor of the Commonwealth. It is not supposed that the administration of the two penitentiaries of the State has attained perfection. The every excellence of the plan upon which they are constructed, and the success that attends the execution of those plans, cannot fail to suggest improvement. Those who conduct them will find, from the excellence of their own work, a necessity for alteration to give the institutions the advantage of all the benefits which result from careful administration. Almost every institution that is permanently good, is progressive in its benefits and improvable in its administration. And it may be regarded as a cause of general congratulation, that excellent as is the administration of the

Eastern and Western Penitentiaries of Pennsylvania, that excellence is progressive. The experience of inspectors will be in future, as it has hitherto been, used to improve what devotion and appropriate knowledge so well direct. But it is to be regretted that the fame for prison discipline, for reformatory imprisonment, which Pennsylvania has acquired by the erection of her penitentiaries, and the system upon which they are conducted, is not sustained by the county jails throughout the Commonwealth; and a close inquiry, while justifying the high credit of the State for philanthropic penal legislation, in generous and successful execution of those laws in the penitentiaries, excites a blush for the failure of system and execution in most of the county prisons, where, if not the greatest criminals are to be found, by far the most numerous offenders are incarcerated.

The fame which Pennsylvania enjoys abroad for prison discipline, is not sustained by a close inspection at home. All christendom refers with respect to the system of "separate confinement," to the careful, wholesome discipline, to the means of moral and literary instruction, with the absence of all temptation to error, to the provision for acquiring the means of honest support, and the care for the out-going prisoner, which distinguish the Pennsylvania penitentiaries. Great Britain and Ireland are adopting this system, and these meliorating and benevolent means of good in their public prisons, and trying to adapt the structure of their jails to the Pennsylvania plan; doing homage thus to the earlier efforts in the right direction, of our own Commonwealth. But while others are admiring and imitating in the administration of the common prisons, these admirable characteristics of our penitentiary system, Pennsylvania herself seems to pause in her work of improvement, and to be content with the claim of making the punishment of the excessively guilty, a means of their moral and physical improvement, while the new or smaller offender may be allowed to perfect himself in depravity and crime, and advance by degrees in culpability, through the county prisons, unentitled to moral discipline, or that instruction which would make virtue profitable as well as pleasant, till he shall have so often outraged the laws of the State, and exhausted the forbearance of the Courts, as to earn a sentence to the State penitentiary, as if the Commonwealth had regarded the county jails as seminaries to prepare offenders for the State prisons.

The letter from the Philadelphia Society for alleviating the miseries of public prisons, which accompanied the annual message of the Governor, sets forth the deficiencies of some of the county prisons in our State; not as drawing attention to the individual prison in which the deficiency or abuse existed, (a politic sense of delicacy would, of course, teach forbearance in that direction,) but presenting evils which rumor had mentioned, and which careful, personal inspection of all the prisons in the State, fully confirmed.

Inappropriate form, vicious construction, bad internal arrangements, total or partial deficiency in accommodations, which decency imperatively demands, and good morals suggest, want of cleanliness, deficiency in food, entire want of moral instruction, absence of useful employment and want of means to occupy time by practical education. No provision for making the prisoner better in confinement, none for assisting him to try to do well, when he shall leave the prison; in short, no recognition of the house of improvement, none of the dignity of human nature, or of the duty to redeem an offender from his vas-salage to vice, and start him in a new career of hopeful amendment. As elsewhere these evils are avoided, and those benefits fully contemplated, and largely secured, it cannot be doubted that, with equal means of doing good, the State of Pennsylvania can, at least, equal all that is done elsewhere. It would seem to be her mission to *give*, not to *follow*, example, and to secure to her county prisons the just credit which has been awarded to her penitentiaries. What are the means by which these ends are to be attained? In the first place, there is need of a system by which the affairs of the county prisons shall be administered. It is, of course, not expected that the system shall be adopted without any small exceptions (in the execution) suggested by the peculiar circumstances of locations; but it must be general, and be subject to one set of laws and the same class of officials. Where there is a prison, there ought to be a supervisory power, that shall not only hear reports of proceedings, but shall see, and, in some cases, direct proceedings. And it is believed that the system of inspectors appointed by the courts has worked so well, wherever it has been introduced, that entire reliance may be placed upon that mode of supervision, where the appointments are judiciously made and the terms of service properly arranged, and especially where the appointee is one distinguished for

his just appreciation of the object of prison discipline, and his proper estimate of its value to society, as well as to individual reformation and punishment. It is represented as an error in the existing provisions for the administration of county prisons, that they are in the hands of the sheriff. There is certainly no reason why a citizen nominated for, and elected to, the office of high sheriff of a county, should not be competent to the duties of a jailor; but so, also, there is certainly nothing in the duties proper to the sheriff of a county, which may not be performed without the qualifications proper for a prison-keeper. And it seems almost certain, that the discharge of the true duties of a sheriff may require time, at least, that ought to be devoted to the care of the prison, and the interest of the county in the expenses of the prison, and the interests of humanity in the character and condition of the prisoner. It is probable that some of the evils of our county prisons are due to mal-administration of the sheriff as a jailor, while the other interests of the county have been greatly benefitted by his knowledge and efficient service in the duties proper to his office. Another class of qualifications is often required from the jailor, than those which ought to distinguish a sheriff, and, it may be added, very different claims for office are usually put forth by the candidates for the sheriffalty of a county, from those that are deemed desirable in the man who is to be a jail keeper. It may, undoubtedly, be said, that the higher degree of talents and education of the sheriff are not incompatible with a discharge of the humbler duties of the jailor. That is true; but, unfortunately, those high talents and that education are not willingly devoted to the lower duties of the prison; and so the sheriff may overshadow the prison-keeper in his own person, and the duties of the latter be made to give place to the former, till nothing but detention comes from imprisonment, and discipline and care for the improvement and comfort of the convicts, be made to yield to the dignity of the elected sheriff. Nor is this all. Nothing more promotes the benefit of the prisoner, and the object of imprisonment, than the care and attention of the experienced superintendent and the maintenance of regular, well-established discipline. All suffer, when frequent changes in the administration of the prison are made; and unfortunately for the affairs of the prison, the law which places them in the hands of the sheriff forbids him to administer them for

more than three years in any six. Should the affairs of the prison be retained in the hands of the sheriff, it will be seen that some constantly supervisory power is necessary to the maintenance of a system. There may not be an interregnum, but it is not probable that the incoming sheriff will have the qualifications which his predecessor has acquired by experience; so that some experience seems necessary to sustain the interests and maintain the order of the prison, till the new jailor shall have acquired some knowledge of his official duties.

The system of inspectors seems, on all accounts, to be desirable; and among the arrangements, in the interior of the State, for their terms, should be that the term of one-third of the board should expire each year. In the small counties, three inspectors might be sufficient; in the larger, six would be required, and in some it might be better to have the board composed of nine. A board of inspectors, composed of men who are qualified by some experience, but especially with a deep, heart felt interest in the cause of humanity—men who can distinguish between the unrelenting severity of the law, and the mild but steady administration of its penalties—between the mawkish sensibilities of a false philanthropy, and the true exercise of humanity—men who admit that the violator of the law must suffer the penalties which that law, properly administered, allows, but who, at the same time, seek to make the prescribed punishment subservient to the moral advantage of the prisoner.

The time seems to have passed when punishment alone is regarded as the object of imprisonment. Much was done when the sufferings of the convict were alleviated by the mitigation of a portion of the penalties awarded, and the arrangements of the cells and the character of the treatment were changed. But a new step in the progress of prison discipline has been successfully taken. The spirit of true humanity has followed up the work of improvement; and while sound legislation has deprived the prison cell of the means and attributes of cruelty, true philanthropy has found the means to convert the prison into a school of reform, and to convert the execution of the penal laws of the State into the means of elevating the prisoner into the condition of good citizenship, by gentle suasion and constant kindness; so that, without a diminution of any portion of the prescribed penalty, he shall feel that such a chastisement has been necessary to the change

which sound morality required, and shall learn the deep lesson of repentance, in the hope that it will be available to the restoration of his lost condition. It is not the object of this report to set forth, by citation of instances, the great benefit which has resulted from an improvement in some of the prisons of the State. Those instances are numerous and most gratifying, and they are most numerous and striking where the system has been most improved by the adoption of appropriate plans of discipline, the employment of appropriate officers, and especially by the services of devoted agents and the voluntary labors of good men and women, who find in the physical order of the prisons, a means and opportunity to insure moral instruction, and thus promote the benefit of the convicts, and through their improvement to ensure good to society. It is the improvement in the administration of these few prisons, the establishment of order therein, and strict accountability, and generally the success which has attended the attempt to improve the prisons and their prisoners, that are now cited as furnishing motives to extend the system, to include all the county prisons in the State, taking advantage of what, in some instances, has been the result of individual or social effort, and eminently augmenting their benefit, by applying the system to all.

The system, or rather the want of system, that prevails in this State, in the construction of prisons, and in the administration of their affairs, leaves each so much isolated that little or no benefit is derived to one for any improvement in another. Accident sometimes causes the adoption of some change, but little is heard of its success; and when, for three-quarters of a century, in one part of the Commonwealth, philanthropic citizens have been illustrating the improvable character of prison discipline, and especially of the sentenced prisoner, a large part of our State remains unaffected by the local movement, because there is no established mode of making one county acquainted with the movement of another, so that it may profit by successful experiment. We see that there is a deficiency.

The appointment of inspectors, able and willing to perform all that the law may require and humanity suggest, will not produce the effect that is desirable, will not insure to the whole the benefits which may accrue to a particular prison. One may become a nursery of virtue, where the convicted felon may slowly and steadily become a good man,

while another may remain the receptacle of the criminal and vicious, where new felonies may be planned, new schemes of vice concocted, and the young offender be hardened in criminal intentions, and the whole company become confederates for some future aggression on society.

The Legislature may, as it has done already, require from the officer of each prison an annual statement of the affairs of the place, with ordinary statistics, of numbers received and discharged, with the cost of maintaining the institution; and this requisition may be even more fully complied with than it has hitherto been. But these naked statements of numbers, give no idea of the benefits that has accrued to society by the detention of a certain number of persons, beyond the mere fact that so many, for such a period, have been kept away from actual mischief to others, though they may have been concocting schemes of future crime, which shall exceed other felonies in character and extent, because more will be concerned in their execution, and time and opportunity and experience have been afforded to digest the plans, so that success and impunity may be secured.

These statements, also, may omit the important items of efforts made to improve the moral condition of the prison, or still worse, may omit the important fact, that no such efforts have been made, that human beings, reared for citizens among freemen, and qualified by mental and physical abilities to be useful to themselves and others, have been allowed to be neglected in the cells of a prison, with no word of sympathy to awaken human feeling, and no gentle remonstrance to arouse resolution, and no evidence of aid to awaken hope. This is not an imaginary case. The report of gentlemen who visited, last year, nearly every prison in Pennsylvania, shows that there are jails into which no missionary of morals ever enters, where the convict is left to himself and his ignorance, or even worse, to his own misdirected education, sinking in his own estimation, and shrinking more and more from contact with the good; whose only calculation, indeed, is to live, and to live by fraud, and whose only hope is to escape a punishment which he does not mean shall come without deservings. The very crimes which send some to the prison, are committed under the penal roof; and if the committees are guilty, as of course they are, in thus violating a divine and humane law, scarcely less culpable are those who,

by arrangement or neglect of arrangement, afforded the temptation and supply the means for the offence.

The reports of the officer of a prison, however correct in what is set forth, are nevertheless the statements which an officer makes of his own doings; whether they are full or not, it is impossible for the Legislature, without other means of information, to judge. But even if complete, they are only complete with regard to the primary object of his appointment, the detention of offenders for punishment. They give no just account of the moral state of the prison, of the character of the treatment, and of the errors which the keeper may have committed, in the discharge of his duties. And, while the miserable convict may tell the keeper, and his own friends, of his gratitude for any favors conferred upon him, in the forbearance of extreme justice, no one will hear the complaints of the injured, or be invoked to redress the wrongs. If the unfortunate have few friends, the guilty can scarcely be supposed to be better furnished with those who will advocate their cause. And even the guilty have their rights, and the community has rights in the guilty. It is the interest of society that the guilty should be reclaimed, as much as it is the interest of society that the guilty should be imprisoned. And it is in the interest of social life, as well as in that of humanity, that the imprisonment should be so conducted as to lead the prisoners to repentance, and that this repentance be to encourage and to insure thorough reformation.

If these benefits are desirable, and all will admit that they are, then the question is, are they attainable?

The experience of those who are intimate with prison discipline, and with the moral dealing with prisoners, in certain prisons in this State, and in some other States of the Union, shows that an immense amount of positive good has been done by a concurrence of action between prison authorities and the friends of humanity, who voluntarily visit the prisoners in their cells. Evils, such as it has already been stated, are known to exist in various county jails in Pennsylvania, have been almost entirely removed, in those to which we refer, and without a single relaxation of sentence awarded by the court, and allowed by the law, there has been such an alleviation of the miseries of prisoners, both physically and morally, as justified the belief that these meliorating

**means may be introduced into every prison in the Commonwealth, and that every new application of them will tend to strengthen the effort, and promote the success of those who labor in that direction.**

Uniformity in the plan and execution is needed, and it has already been stated, that the appointment of inspectors for each prison, important as that step will be, to effect improvement in the prison over which they are to preside, will have little effect upon a general system. What is needed, in the opinion of the committee, is an officer of the Commonwealth, whose business it shall be to visit once, at least, in each year, every county[prison in the State, and the two penitentiaries, to mark their working, to confer with their respective superintendents, and the board of inspectors, to make himself acquainted with the workings of each, to note the deficiencies, and from time to time to report upon the condition of all, especially once a year, to confer with the superintendent and inspectors upon any deficiencies, and to recommend the adoption of any improvement which may be made in any other prison; and thus to give to each the benefit of the experience of all, and to ensure a harmony of exertion in the great work of personal restraint and moral improvement. On this point, the committee feel it a duty to be explicit.

It seems scarcely possible to establish such a system of prison arrangement, of prison discipline, and prison instruction, in a State so extensive as Pennsylvania, and maintain a full operation without concert of action, and that concert and harmony is not to be expected, without that direct personal supervision which alone can be performed by an individual, that has at heart the improvement of prisons for the sake of the prisoners, and the improvement of prisoners for the sake of humanity.

With this view, a bill herewith reported, provided for the appointment of a State Commissioner of Prisons, whose time shall be devoted to the personal examination of every prison in the State, not merely with a view to report upon what he has seen, but, in an especial manner, to confer with the inspectors and superintendents of the prisons, so that he may make general the benefits which each has received, and correct, without public exposure or complaint, the errors which, in the administration of the affairs of any prison, may hinder its usefulness.

The system of public schools seems to demand, everywhere, a super-

vision by one person capable of judging of the wants and the progress of every school. And prisons, eminently useful in another direction from schools, require that supervision which augments and perpetuates their usefulness. The commissioners of the public schools shall be charged with duties, if not analogous, at least equal in importance to those of the inspector-general of the army. The legislation now asked in favor of the prisons, provides means to call for and justify future legislation, as the commissioner, for whose appointment authority is asked, will soon make known what are the errors of administration in any prison, and how those errors may be corrected. The faults of structure, arrangement and discipline, which, in another part of this report, are mentioned as existing in many counties of this State, absolutely preclude all hope of moral improvement of the prisoner, wherever such errors are found; and it is known that they greatly abound in a very large portion of the Commonwealth. And yet Pennsylvania stands conspicuous for her humane legislation. Her credit, then, must be regarded as factitious, because it is no evidence of humanity to alleviate some of the physical inconveniences of imprisonment, and yet leave the prisoner neither a chance of, or an invitation to, moral improvement. If the convict excuses his fault, at least to himself, by saying, that under existing circumstances he could do no better, how is his case mended by being allowed to improve his taste and his appetite, from good treatment, without receiving instruction to make him judge of the evil of gratifying that taste and appetite at the expense of other persons' means?

Careful inquiries into the mode of supporting the poor, in almost every county in the State, an inquiry made by the same persons that investigated the condition of the county prisons, and at the same time show a shameful deficiency in many counties, and suggest such legislation as will secure, to the poor, the care and attention in sickness, age and want, which they have a right to demand by the common law of humanity, a right which is perfect, as it has a correlative duty. The culprit must be punished, and the jail is provided for his reception and detention, and he may expect, because he is a human being and capable of improvement, that he will be treated with humanity; and he may hope that he will, also, be so cared for as to make him better. These are duties, but he has no right to enforce their discharge, or to

censure any one for the non-fulfillment of them. But the citizen struck down by reverses, by sickness, by age, and left too poor to sustain himself, has a right to demand support, and it is the duty of the community to see that his rights are respected. As a tax-payer, as a man, as a member of the Commonwealth, he has earned, or he has inherited, the right to live and to demand, from the community in which he lives, the means to make that living comfortable. And it seems to be the duty of those who make the laws of the State, so to make them that those the least able to help themselves, or appeal from oppression or neglect, shall be protected in their remaining right, and secured from the personal evils against which the social compact was formed and is maintained.

That all these rights have not been respected for the dependent poor of our State, the inquiries to which we refer abundantly prove. That the neglect or refusal, on the part of local authorities, is attributable to improper motives, is not to be asserted. The knowledge that poverty is too often the consequence of error and vice, prevents in the many a growth of sympathy for paupers. And when some provision is made for the maintenance of that class, there is manifested much neglect of improvement in the administration of the pauper laws, so that the discomfort of the almshouse, or the greater discomfort of the poor whose maintenance is provided for by public competition, among those who would make money by under-feeding the poor, has become proverbial.

But in connection with the maintenance of the poor, it is of consequence to consider the effect of the lax administration of the laws upon the *poor insane*; nay, it may be profitable, also, to examine whether this is not a deficiency in the laws themselves, and, if so, a fault in the legislation. There are parts of the State in which provision is made for the proper treatment of the mentally deranged. The almshouse is made a hospital for such; and skill, directed by kindness, is doing much in behalf of the mental sufferer. But in other portions, the insane sufferer is treated by those among whom he has lived, as a moral leper, whose presence is not to be tolerated, whose infirmities and aberration deprive him of right and sympathy. Indeed, the insane, of some parts of our State, fare worse than did the leper among the Israelites. With them, though he was removed from his own home,

the laws of the land, which were the laws of God, provided for him a place of retreat, where he could recover from his malady, or dying, would at least have the care to which afflicted humanity is entitled.

But it is declared, that in certain parts of this Commonwealth, the claims of the pauper iusane, as human beings, are so neglected, that the sufferers are thrust forth even from the common abode of the pauper, and confined in a position where the inconveniences of the place, and the jeers and insults of the curious and unfeeling, irritate the miserable object into incurable madness. These things are unbecoming the fame of Pennsylvania, and while the cause of those who are compelled to suffer without intelligible complaint, appeals to the Legislature for redress, legislation to meet all the evils of which complaint is made, must, to be effectual, be exceedingly minute. It is sometimes easier to correct a local fault of administration, by presenting its contrast with a different course elsewhere, than to force correction by law of penalties. It is not believed that intentional wrong is at the bottom of the evils noted; neglect, a want of knowledge of what is right, and of what may, and ought to be done, must be regarded as the cause of the wrong. Thence the committee conclude, that the officer charged with the inspection of the public prisons, might also be instructed to investigate into the administration of almshouses, and the care of the paupers of all classes, in the counties or townships that make provision for the maintenance of their poor, and report upon the means and success of their undertaking.

While one great object is contemplated in the proposed appointment of a Commissioner of Prisons and Almshouses for the State, viz: that of affording information, upon which future legislation may be based, as well also as a proper manifestation of solicitude for the welfare of every class of people, the amendment, as well as punishment of the guilty, and the comfort of the destitute poor, and the helpless afflicted, it is believed that the discharge of duties, prescribed for such an office, will tend directly to such legislation as will correct existing faults.

It is not supposable that men appointed to the care of prisons, or the direction of almshouses, intend to do wrong; they do not know what improvements have been made in other similar institutions. They need only the hint, which a well-informed commissioner can give; only a suggestion that they are behind the age in the care of the criminal and

unfortunate, and that what others do so well, they may undertake with confidence of success

In this connection, it may be proper to state, that among the services which this State Commissioner for Prisons and Almshouses could render, would be to assist in the selection of sites for the buildings, where a plentiful supply of water could be readily had, and where drainage would be easy and efficient. These are most important considerations in the great subject of hygeian, which ought to be regarded in all selections of localities and plans for buildings for the poor and the prisoner. And, it may be added, that the selecting of a site for an almshouse ought to include ample extent of ground, so as to admit of extending the building.

On the subject of the insane department, whether poor or criminal, (if an insane man can be criminal,) it will probably be found expedient for the State to provide some home for both of those classes. The particular measure which the committee herewith proposes, is one that commends itself to those who legislate for a people distinguished by the spirit of philanthropy, and zealous of good works. It is a complement of the good laws by which the penitentiary system of this State has been made the example of prison discipline abroad. And as applied to the administration of the almshouse, it is the care of those whom the highest consideration of humanity command to society for the free exercise of that charity, which "droppeth as the gentle rain from Heaven, it blesseth him that gives, and him that takes."

All of which is respectfully submitted.

JOHN W. GUERNSEY,

WM. HASLETT,

A. D. MARKLEY,

JOS. F. THOMAS,

W. W. BARR,

*Committee of the House.*

T. J. BIGHAM,

WM. WORTHINGTON,

WM. M'SHERRY,

*Committee of the Senate.*

The Legislature is now in session, and we hope that, in the multitude of business which will be pressed upon each branch, time and will may be found to consider well the plan of securing to Pennsylvania a fullness of returns of the various public pauper and penal institutions for which provision is made by law. To such reports alone can we look with any hope for the correction of existing evils: evils that abound, as will be seen by the report of Messrs. WILLETS and RANDOLPH, the Visiting Agents of the Society. In New York, the Legislature grants what we ask, excepting, indeed, that which relates to the almshouses. In Massachusetts the whole work of penal and pauper, or, rather, of charitable institutions, is in the hands of men capable of detecting and correcting errors in the principles and administration of affairs.

In France the whole work of public prisons connects itself with charity even to infants; and the Imperial government knows as well the exact condition of every penitentiary, jail, house of correction, refuge and foundling hospital, as it does the situation, number, character and description of every regiment of its army and every ship of its navy. We may not approve of all the modes of administering penal discipline in France, but we cannot fail to approve the interest which the Nation takes in the welfare of the prisoner and the condition of his prison.

In Great Britain, every prison and jail makes its report, annually, of *all* that relates to its affairs, its numbers, the character, age, condition, and antecedents of its prisoners; the mode of discipline, the amount and

kind of labor, the amount and kind of food, the character and cost of all these, and that of the clothing and religious and moral instruction, with the results. These are attested by competent judges; and the government frequently makes special examinations of all by committees from both Houses of Parliament. The highest dignitary of the land not thinking it derogatory to his place to see that justice is administered with mercy, and that the improvement of the bad is connected with their punishment.

The reports from the jails in Ireland are among the most satisfactory that we see. They denote a system of prisons that is admirable in its administration, and is shown to be capable of constant improvement. This improvement is, undoubtedly, in some measure, effected by these very reports. These make known the success and advancement of the affairs of one jail to the directors of another; they establish what has been done, and thus afford a means for planning what is to be done. Year by year, wherever the report of the public prisons are annually and carefully and fully made, there it is seen that the administration of prison affairs is annually improved, and the condition of the prisoners greatly ameliorated, and their physical and moral improvement more generally secured.

We think it right to refer again especially to the reports of which we have made an analysis in another part of this Journal, and to repeat that the idea which it was intended to realize in this Commonwealth, by the action of the Society last year, is fully illustrated in the volume of French reports, and those of Great Britain

and Ireland, and New York, before us; and we by no means despair of inducing the Legislature of this State to make provision for such a general inspection of the State and County Prisons, and the various other institutions intended to receive and improve the erring, especially the young.

---

## CORRESPONDENCE.

The correspondence of the Acting Committee has been of the usual character, relative to the business of the Society, but not generally of interest sufficient to be published.

A few months since, the Acting Committee appointed two of its members to obtain, by letters, information relative to the jails and almshouses of the interior, and Messrs. JEREMIAH WILLETS and PHILIP S. RANDOLPH were selected for that duty, the appointment being the more appropriate as they were the members chosen to visit the prisons and almshouses in 1864, from whose valuable report was derived the letter to the Governor of the Commonwealth, upon which was founded some legislative action, and which appeared in the Appendix of the last year's Report.

Immediately after the appointment of the Committee, the members addressed letters to gentlemen with whom

they had, in the discharge of their mission last year, been in communication.

Before giving any of the answers received by the Committee from their correspondents, we think it best to place on the pages of this Report the series of questions relative to prisons and almshouses, which were transmitted; and we do this now as they will constitute the basis of much of the correspondence to be carried on, and may be referred to at any time, in the Journal, when the single sheet upon which they are printed has been mislaid.

It is proper to state that our ability to carry on this part of our undertaking must depend much upon the fidelity with which the answers to these questions are transmitted. Of course it is not intended to limit correspondence to naked replies to these queries. Whatever relates to the erection, maintenance, and administration of prisons and almshouses, is to be regarded as germane to their correspondence.

*Interrogatories to be propounded to the Inspectors, Sheriffs,  
and others interested with the management of the Prisons  
of the State of Pennsylvania.*

1. When was the Prison of County erected?
  2. Is the building adapted to the congregate or separate system?
  3. Under what officers is the Prison conducted, and how are they compensated?
  4. How many prisoners will it accommodate?

5. Are the sexes completely separated ?
6. Are the prisoners allowed to associate at night ?
7. How are the convicts employed ?
8. Is any employment given to untried prisoners ?
9. Are the prisoners who can read furnished with books ?
10. Are those who are ignorant taught to read and write ?
11. Are they taught trades ?
12. Are they afforded religious instruction ?
13. What is the dietary of the Prison, breakfast, dinner and supper ?
14. Are any of the officers of the Prison interested in any contract for supplying the prisoners with food, raiment or any other necessaries ?
15. What clothing and bedding are furnished to the prisoners ?
16. What are the Hygienic arrangements of this Prison ?
17. What is the number of prisoners now in this Jail ? State their color, sex, age, &c., and crimes for which they have been convicted, and the average term of imprisonment in this Prison ?
18. What has been the average number for the last four years ?  
What is the number of insane persons now in Jail ? State the sex, color, age, and whether they are recent cases.
19. Are any special arrangements made for treating insane prisoners ?
20. What has been the average number of insane in this Prison for the last four years ?
21. What has been the average cost of each prisoner during the last four years, and what the whole annual expense of supporting this Prison for the years abovementioned ?
21. What are the punishments inflicted on prisoners to prevent their escaping, or to preserve the discipline of the Prison ?

*Questions to be propounded to the Managers, Overseers, Stewards, and others charged with the management of the Poor-Houses of the Commonwealth.*

1. When were the buildings erected?
  2. How many persons will they accommodate?
  3. How is the Institution managed? State particularly, and how the officers are chosen.
  4. What salaries are paid?
  5. Has the Steward or Superintendent any pecuniary interest in the labor of the inmates, or in furnishing any supplies for the establishment?
  6. What is the dietary of the inmates, breakfast, dinner and supper? State what clothing and bedding are allowed to the inmates; what trades or employments are carried on in the institution.
  7. What number of insane inmates is now in this institution; what number of cases are recent, and what number are chronic cases?
  8. Are there any special arrangements adopted for the treatment of the insane?
  9. What was the average number in this institution in the last four years? State their sex, color, age.
  10. What are the prominent causes of Pauperism in your county?
  11. What are the Hygienic arrangements of this establishment?
  11. What has been the cost of this establishment for the last four years?
- 

BERKS COUNTY.

*Answers to Questions touching the Poor-House.*

I.—The poor of Berks county were formerly managed by overseers of each township, where their support was farmed out to the lowest bidder. This was found to be a system that bore with equal severity

upon the tax-payer and the pauper, increasing the rates of the one, decreasing the comfort of the other. The court was incessantly engaged upon questions of settlement and support between the townships. A pauper became a kind of legal foot-ball, who was kicked about from one lowest bidder to another, from one township to another, from one county to another, from one court to another, in a surprising manner: he bore a *caput lupinum*, every man's heart was shut against him. This state of things continued until about the year 1823-24, when, under authority of an Act of the Legislature, the county was authorized to buy land and erect a poor-house.

I should have stated, that by the Act of 22d March, 1813, all charges and expenses, whatever, incurred by the township on account of the poor, were payable out of the county stock. This legislation, removing the local overseers from responsibility to the local tax-payers, led to extravagance, and, perhaps, occasional dishonesty on their part. At all events, the poor rates became so heavy as to become a leading inducement to the legislation of 1823-4.

The land selected for the poor-house was a farm of the late Governor Mifflin, situated three miles westwardly from the centre of Reading, in Curwen township. It was bought for about forty dollars an acre, and, with what has been added to it by subsequent purchases, now constitutes a farm of over 550 acres, of which about 450 acres are under cultivation. The main building was erected in 1824, to which additions have been made from time to time, and other buildings put up in 1837 and 1858. These buildings are of brick, with spacious halls, numerous rooms of four, six, eight and more beds, well lighted, well heated, and well ventilated.

II.—These buildings will easily accommodate four hundred persons.

III.—The Institution is managed by a Board of Directors, consisting of three members, one of whom is chosen annually for three years, by the qualified electors of the county. These directors meet once a month, at the Poor-House, to examine it and its affairs, hear complaints, pass upon claims, apprentice children, and perform other like duties. They receive a merely nominal compensation, not enough to pay for their horse-hire. The officers of the Poor-House are elected annually by this board.

**IV.—The officers consist of**

**A Steward**—Mr. Conrad, who has held the place for thirteen years. Salary of him and his wife, jointly, eight hundred and fifty dollars.

**Under Steward**—Mr. Rightmyer, who has held the place seven years. Salary five hundred dollars

**Clerk**—Mr. Henry A. Summons, who has held the place four years. Salary four hundred and fifty dollars.

**Matron**—Mrs. Sarah Conrad.

**Under Matron**—Mrs. Mary Rightmyer.

**School-master**—John Pyle.

All of the above-named are resident in the Poor-House, and receive boarding, lodging, fuel, light and washing, besides salary.

**A. A. McDONOUGH, M. D., } Physicians not resident.**

**JAMES Y. SHEARER, M. D., }**

Salary one hundred dollars a year, each. They visit the House on two stated days in each week, and upon any emergency on which their services may be required.

**Wharton Morris, Esq., Solicitor.** Salary seventy-five dollars.

**V.—The Steward has no pecuniary interest in the labor of the inmates, or in furnishing any supplies for the Poor-House.** Mr. Conrad manages the farm and the house, and it is due to him to say that his management of each challenges the most unqualified admiration. The farm is a model one, and so is the Poor-House.

**VI.—There is no prescribed dietary for each day.** Every one receives a daily ration of sound, wholesome meat, (generally fattened on the farm,) and they who work have meat served to them three times every day.

Coffee is given twice a day; occasionally, chocolate or tea, instead of coffee. The bread is of the very best “which,” as one of the officers expressed himself to me, “*is also found to be the cheapest.*” The meats are beef and pork, fresh and pickled, sausage, puddings; and the vegetables, potatoes, cabbage, turnips, onions, &c. The cooking apparatus is of very perfect construction, and the cooking that is done by it is well and cleanly done by those having it in charge.

The clothing furnished by the Poor-House is, when it can be got, of home-made cloth; sometimes ready-made clothes are bought; this cloth

is worked up by the inmates, under the direction of a tailor and tailoress. The poor of Berks county are decently and comfortably clad.

The bedding is clean and warm. It may well be doubted whether in these respects of food, clothing, bedding, indeed, of whatever constitutes mere physical comfort, nine-tenths of these people were ever so well off in their lives.

No trades or employments are carried on in the House; a great deal of sewing is done by the women for the inmates, and all of the house-work, save what is performed by the cook and the baker. Much farm and garden work is done by the men.

VII.—*The number of insane inmates is about one hundred, of whom very few are recent cases.* Not more than two or three are recent cases. Mr. Conrad says that, *in his time (thirteen years), not more than a dozen cases have been discharged cured.* These hundred cases, then, are the accumulation of many years, and I believe, were, for the most part, not brought into the House until, from neglect, they had become incurable.

VIII.—There are no especial arrangements adopted for the treatment of the insane. There is a building appropriated exclusively to females in that condition. But, as regards the males, to use the words of one of the officers, "*they are all mixed up together, with various people who are sane, except those who have to be chained.*" The condition of these unfortunates is certainly a great reproach to us. Their number is so large that it would seem to require a separate asylum, devoted exclusively to the treatment of such cases. They are entirely out of place in a Poor-House. It is thought that the number of the insane in Pennsylvania is about one in 685 of the population—at least that was the deduction from the Census of 1850. If that be the ratio of the Census of 1860, this county would have about 136 insane. Of these we have, say, one hundred in the Poor-House. I know of several in various asylums, and of several who are under no restraint: this induces me to believe that we have more than 136 such persons in our population. But the number is too small to warrant the erection of a distinct asylum for their proper custody and treatment. Under such circumstances, it might be profitable to group counties together for the erection and support at their joint expense, pro-rata, of a proper asylum for their insane and idiotic; the grouping might proceed upon commu-

nity of origin and facility of inter-communication. Take, for example, the counties of Northampton, Lehigh, Lebanon, Dauphin and Berks: in these the population is of German origin, and one railroad cuts through them all, from the Delaware to the Susquehanna. Now this group of counties, applying to its present population, 265,000, the ratio obtained from the Census of 1850, would furnish three hundred and eighty-six cases. And if its Poor-Houses are filled, as is that of Berks, the institution would open with 280 patients. Such an asylum could be made to receive insane prisoners, which at least one establishment in this State refuses to do. Some place of this kind is believed to be perfectly practicable, and this plan, for the present, is offered to the consideration of the philanthropic. The Directors of the Poor of Berks county, to whom it was offered to-day, expressed themselves very favorably with regard to it.

IX.—The average number in the Berks county Poor-House, in the years 1860, 1861, 1862 and 1863, was about four hundred. This figure is not given as the result of any calculation made upon the spot, but as the belief of the clerk, a very intelligent and communicative gentleman. He has promised to consult the books of the House, and give me the results of his examination in answer to this and the twelfth interrogatory.

Meanwhile, fearing lest that report may come too late for your purposes, I will answer it from such means as are within my reach, for one of the years specified in the interrogatory.

There were remaining in the Poor-House, 1st January

1862, . . . . .	. . . . .	403
Admitted during the year 1862, . . . . .	. . . . .	215
Born in the House during that year, . . . . .	. . . . .	7
		—
		625
Discharged during that year, . . . . .	. . . . .	221
Indentured " " . . . . .	. . . . .	6
Died " " . . . . .	. . . . .	27
Remaining on 1st January, 1863, . . . . .	. . . . .	381
		—
		625

Of these so remaining, there were male adults,	.	.	.	.	191
Female adults,	.	.	.	.	110
Boys, under 15 years of age,	.	.	.	.	63
Girls, " " "	.	.	.	.	17
					<hr/> 381

By "adults," the authorities at the Poor-House seem to understand, "persons over fifteen years of age."

X.—Drunkenness and unthrift are considered the prominent causes of pauperism in Berks county. Of each of these, acting singly, drunkenness brings far the greater number to the Poor-House. Very many, however, who have neither been drunkards nor unthrift, overtaken by old age, or by sickness, are compelled to take refuge in the charity of the public.

XI.—It is not easy to answer this interrogatory. The House enjoys an abundant supply of delicious water and of pure air; it is dry, well ventilated, well warmed, well built; its arrangements for cooking and washing are as good as they can be; the attendants are warm-hearted, generous and faithful people, who are not stinted by any mean-niggardly economy in doing their whole duty; the food is as good as the country affords; the physicians are skillful and attentive. The wards are not large, which is thought to be an advantage. The people are very much as if they were in a comfortable home, and seem to be as happy and cheerful as they could in their hearts desire to be, in their condition of poverty. The mortality is not large, which would seem to show that the Hygienic arrangements, whatever they may be, work well.

XII.—Above what has been raised upon the farm, and the work and labor of the poor on the farm and in the house, there have been drawn from the county treasury the following sums, in the years specified, for the support of the establishment and the relief of the poor:

In 1860,	.	.	.	.	.	\$22,836	72
1861,	.	.	.	.	.	26,456	98
1862,	.	.	.	.	.	19,127	10
1863,	.	.	.	.	.	19,082	18

In the year 1862, which I take as a common year, the produce of the farm was 124 loads of hay; 1807 bushels of wheat; 342 bushels of rye; 1692 bushels of oats; 2200 bushels of corn; 2200 bushels of potatoes—indeed, all the vegetables required for the kitchen; 15,000 pounds of beef; hides and tallow; pork, lard, milk, butter, and many other things.

The cash House expenditures of the Steward were \$1,816 00.

His receipts \$2,199 00.

The farm, which averaged about fifty dollars an acre at its purchase, to-day would readily bring from one hundred and seventy-five to two hundred dollars, under the hammer.

In a memorial, which she addressed to the Legislature some eighteen years ago, Miss Dix characterized the Poor-House of Berks county as being the best managed institution of the kind in the State. Under the management of such Directors as Messrs. Lash, Griesemer, and Getz, it will never cease to merit such high praise.

J. PRINGLE JONES.

*Reading, December, 1865.*

---

*Answers to Interrogatories respecting the Management of  
the Berks County Prison.*

1. In 1848. Opened January 1, 1849.
2. The separate system.
3. A warden, assistant warden, and matron. They are compensated by salaries. The officers are appointed annually, by a board of seven inspectors. The warden and matron to be confirmed by the Court.
4. It will accommodate forty separately. There is also a vagrant department, consisting of two rooms, which will accommodate about twenty.
5. They are.
6. They are not.

7. Mostly at weaving checks and carpets.
8. They are frequently employed.
9. They are, but the assortment is but poorly adapted for their comprehension and wants. Their educational needs are, and have, not been sufficiently attended to in many instances.
10. A number have been in past years; cannot say what care is now bestowed.
11. A few learn weaving.
12. Very little religious instruction is given. There is, occasionally, preaching, yet rarely for the last few years. There are, however, Bibles in all the cells, which are much read by some prisoners, but personal aid in moral and religious subjects is much neglected.
13. For breakfast, bread and coffee; for dinner, meat, potatoes, and soup, the latter thickened with rice, beans, cabbage, &c. For supper, bread and coffee. A pint of molasses is allowed weekly.
14. They are not. The warden finds the provision, and is allowed a definite sum daily for the support of each prisoner.
15. Their apparel is made of cotton and woollen goods, which is manufactured and made up by prisoners. They have straw beds, sheets, and coverings of quilts and blankets.
16. Ventilation has been defective, and warmth insufficient, but, during the fall, efforts have been made for improvements in these respects. There are but poor conveniences for out-door exercise, the cell yards for this purpose having recently been removed.
17. Number of prisoners thirty-seven; all white, and all males except two. Ages, under twenty, ten; between twenty and thirty, thirteen; between thirty and forty, six; between forty and fifty, eight. Of the thirty-seven, twenty are under conviction, for the following offences, viz: larceny, twelve; assault and battery with intent to kill, five; false pretense, one; seduction, one, and homicide 1. The average term of imprisonment of nineteen, not including the homicide, eleven and a-half months.
18. Average number for 1860, forty-nine; for 1861, thirty-four; for 1862, twenty-five; for 1863, twenty-three. There are always a number of prisoners from Berks County serving their

terms of imprisonment in the Eastern State Penitentiary. These are generally for aggravated offences. January 1st, 1865, there were fourteen.

19. During the year, there were four insane, all males, and one colored. Their ages—one about twenty-five, two between thirty and forty, and one above fifty years. Only one a recent case.
20. No special arrangements are made.
21. Not certain what number, probably about three.
22. The average cost allowed the warden for the years designated, for maintenance of prisoners, eighteen cents per day. The annual expense, including the repairs of prison, was, for 1860, \$4,610; for 1861, \$3,705; for 1862, \$3,413; and for 1863, \$2,989.
23. They are commonly put on a diet of bread and water.

HENRY TYSON, M. D.,

*Warden of Berks County Prison from April 1, 1853, to April 1, 1865.*

---

EBENSBURG, CAMBRIA CO., PA., }  
December 1st, 1865. }

I regret very much that I am not able to make such a report as I could desire, and such as might be regarded by the Society as valuable. I may, however, give one or two facts, in relation to our county jail, which will explain, and speak for, themselves.

The county jail is a brick building, situate in the town, and adjoining the court house. It is the residence of the sheriffs, as circumstances may dictate. The arrangement and construction for jail purposes are not only imperfect, but disgraceful. There are only two rooms down stairs, where, occasionally, all classes, and all characters, and all grades of offenders, are confined. Up stairs there are six cells, opposite each other. Each cell is about four feet by ten, with an iron gate, made of iron bars, to prevent escape. I have seen two criminals, often, in one of these cells. No beds, other than some dirty, worthless straw mats, thrown on the boards. No windows, or place to admit air or light, but through the gate. There is one stove, in {winter time, located in

an area between, or at equal distance from, the cells. Such is our jail.

While the humanity of the sheriff and his family may, very often, prompt valuable and timely comforts to the inmates, yet it cannot be denied that much suffering and cruelty is experienced, by the unfortunate victims of crime, in county jails. With a jail like ours, it is impossible for the sheriff, or jailor, who may have the charge of such a building for the time being, to relieve the wants and provide for the poor comforts that ought to be afforded to the unfortunate victims of vice. There are no persons, save the Grand Jury's visit every three months, to inspect the condition of county jails and poor houses, on which occasions the steward of the poor house and keeper of the jail, too frequently anticipating the visit, have some little show of care and order of the place committed to their care. It two frequently happens that our County Commissioners, who have a *quasi* protection over county property, as well as the members composing the Grand Jury, are entirely unfit to make an examination, or capable or willing to suggest any improvement, and only too frequently make a report complimentary of the persons for the time being having the management of such establishments.

The poor house is situate about one mile from this, the county seat, a very fine, large brick building, constructed somewhat on the plan of large country hotels; rooms on either side of common entries running through the building. The basement story set apart for the insane. There are at present about eleven in number of insane, and about from forty-five to fifty, as an average throughout the year, of inmates, including all classes; less in summer than in winter; intemperance the most prevailing cause; many from old age.

The late rebellion, or war, is beginning to develop its fruits, as well on morals, as loss of life and consequent destitution among families

The greatest defect in the poor house is the difficulty of heating the different cells or rooms. To furnish rooms with stoves, in many instances would not only be imprudent, but extremely dangerous to the safety of the whole building. If the county would adopt a furnace, by which all the cells and rooms in the house cou'd be heated and made comfortable, there would be comparatively no risk or danger from fire.

If the law now providing for the election of Poor House Directors was abolished, and the appointment of competent Directors given to

the Courts, or the Governor of the State, or any other power that would disregard all political considerations in their behalf—to appoint the very best men in the county, who would be willing to give two or three days every month to the inspection, care and direction of affairs, and who would appoint a steward who alone for his fitness would be placed there.

If the poor houses and jails were visited by a competent committee of three men, appointed, and not elected, who would have authority to recommend, direct and enforce such government as in their judgment the requirements of the inmates called for, having in view the means and condition of the county financially.

Grand Juries and Poor-House Directors will never remedy the evils apparent and glaring to a common observer.

Respectfully yours.

---

SUNBURY December 2th, 1865.

DEAR SIR :—The pressure of my own engagements and the absence of some of the officials, to whom the interrogatories were addressed, are the reasons for delaying to answer your letter.

There have been no changes, since his visit, in either the County Prison or Poor-House arrangements.

The Prison is adapted to the congregate system, under the charge of the Sheriff, whose house adjoins it. It contains six large rooms, which are rarely locked, so that the prisoners are generally allowed to associate at all times; they are, however, sometimes locked at night.

They have no employment; and except the supply of newspapers, magazines, and books which I furnish them,—and which, of course, is very limited,—they have no reading matter. Nor have they any regular instruction, religious or other. I hope to be able to make some change for the better in this respect; but they remain for so short a time, and my visits are necessarily so rare, that the instruction would hardly be of much amount—better than nothing, perhaps.

They are furnished with “good common food,” by the Sheriff, who is paid by the day for each prisoner. Clothing is furnished, if needed,

which is rarely. Their beds are "clean and good," but the rooms have no ventilation. The outside door of the common hall is open in good weather.

There are now in the jail seven prisoners, six men and one woman : one man colored. One man is waiting a second trial, being under sentence of death for murder. He has been in more than a year. One man has been in a few weeks sentenced to six months imprisonment for keeping a bad house. The negro is sentenced. One man is probably insane ; but as, if he is sent to Harrisburg, to the asylum, it will be an expense to the township where he was arrested for burglary ; they will probably let him off—*i. e.*, withdraw the charge. One young man is in on a charge of seduction ; the remaining prisoners for larceny and petty charges.

There can be no average term given ; some are retained only a few days ; some six months, and some much longer.

The average has been about four during the past few years.

There is one man apparently insane, now in jail, as I said. A woman was also confined some months ago, suspected of being a rebel spy or incendiary ; but, when the township parties discovered her insanity, they procured her discharge, apparently for the reason given above—expense of sending her to Harrisburg—and she disappeared.

The cost of the Prison, for the past year, has been about \$459, estimating the prisoners' board at thirty cents per day ; (this was the estimate of the Deputy Sheriff, in the absence of the Sheriff.)

Hobbing and close confinement are the only punishments to prevent escapes, &c., and they have proved ineffectual. Twice, within a year, prisoners have escaped by digging through the jail-yard wall. On the last occasion the principal part of the work was done by confederates outside, who entered through the opening, picked the lock of the outside door, and of every cell, and took with them *three* of the prisoners, leaving four who refused to go. There are some half-dozen patches on the stone wall of the jail, marking places of escape at different times.

In fact, the whole jail arrangement is wretched, and the only hope is that the march of improvement will sweep the present old shell away and give us something in keeping with the new Court-house. The Sheriff cannot be blamed, of course ; he does as well as he can.

The Poor House system is worse still. Overseers of the Poor are

elected at the town elections, who either hire the poor *kept*, hire houses and furnish food, or give them an allowance; they allow about \$2 50 per person, and rent; and the cost, during 1864, was about \$1200. For 1865 it will be, probably, \$1300 or \$1400.

The Overseer, with whom I talked, agreed with me that the system was most wretched and expensive and altogether wrong, but did not know who should take the first steps toward the purchase of a farm, or making some other arrangement that would save the town some portion of this expense and certainly benefit the poor. I understand that Coal township and Franklin have a poor-house and farm of their own. I do not know of any other in the county.

The only provision for the insane, I have partially described already: to confine them in the jail or elsewhere, until they can be sent to Harrisburg, or else to let them run at large, which last seems the more popular course, unless they are positively dangerous.

I have given away most of the documents you sent me. It would be well if you would send some of them to the Sheriff, Overseer, and to the County Commissioners, directed to Sunbury. The Overseers of the Poor of the town are Messrs. Rohrbach and Augustus Clement.

Very truly,

---

BROOKVILLE, JEFFERSON CO., PENNA.

December 9th, 1865. }

I will, as near as I can, answer the questions of your letter *seriatim*.

*First.*—There has been no change in the prison system of this county since the summer of 1864.

Questions *Second and Third*—“How has it worked! What has been the effect upon the moral and physical welfare of the prisoners?” and “If the effect is injurious what remedy do you propose?” These questions are difficult for me to answer. Our county is small, and the prisoners so few, not averaging above five per annum, and these generally only remaining but a very short time, so that it is hard to tell, from results, whether the system has been injurious or otherwise.

With regard to other points upon which particular information is desired, I answer:—*The sexes are completely separated.* Insane per-

sons are sometimes confined in the county jail; there is in this county no other place for them. Irons are never used upon untried prisoners, the prison being sufficiently secure. There is no provision made for instruction of any kind, neither secular nor moral. There has been no increase in the average number of prisoners during the last few months.

The greater part of the time there is not a single prisoner in our county jail.

Accompanying the letter I received was a list of "Interrogatories to be propounded to the Inspectors, Sheriffs, and others interested with the management of the Prisons of the State of Pennsylvania." That list I return to you, answered by the Sheriff of this county.

With regard to arrangements for the poor, each township or borough provides for its own, usually letting them out to the lowest bidder. We have no poor-house in our county. This, I believe, answers all the questions in regard to our county prison, poor system, &c.

---

HONESDALE, November 24th, 1865.

DEAR SIR:—The number of paupers in our Poor House is not increased since last year. The general business prosperity of the county has tended to diminish pauperage, by increasing the pecuniary competency of the friends of individuals otherwise liable to become chargeable to the poor rates.

There has been a slight increase in the number of prisoners in the county jail. The war, notwithstanding the civic advantages resulting from it, seems to have weakened, at least temporarily, the restraints both of law and morality.

Very truly your friend,

---

ERIE, November 20th, 1865.

Though brought in frequent communication with the officers of the Poor establishment, I have not been in the house since I was with you there.

The management is as it was then. I have no doubt but that all is done, that can be done, with the present buildings and facilities, to make the institution comfortable. The buildings are, however, radically defective; the defects can only be remedied by new buildings. That, no doubt, will be attended to soon. The institution owns one hundred acres of land, every acre of which may easily be made a garden. We want new buildings, suitable for the business, with all the improvements of the age.

I do not know that the number of our poor has increased very greatly.

As to our Jail, I can only say that it could not be worse, if those who designed it had had in view only inconvenience, and how a prison could be built with no ventilation, and to furnish the greatest amount of malaria and prison disease.

It cannot be mended, only by a new prison, on a radically different plan. That will be attended to within a few years.

By that time, with the aid of your Society, I hope we will be able to design and erect a proper building.

Crime, since the close of the war, has been greatly on the increase in this county. I suppose, however, not more so than in other localities. It is not easy to say what is the cause of this increase. Perhaps that cause is in human nature, or, rather, in vicious or defective education. We do not give sufficient prominence to a moral education. We are taught that religion is a something so essentially different from moral. It may be, for any experience I have ever had; but I feel confident that, until we construct a religious education upon a moral basis, we shall have the rich harvests of crime that every now and then afflicts us.

Yours respectfully,

---

COWDENPORT, POTTER Co., PENNA., }  
December 16, 1865. }

It will give me pleasure to aid you in your noble efforts.

There is no poor-house in this county, and but one or two paupers supported by township poor rates.

The inmates of our jail are *not* increasing, for the reason that there are no licenses granted in this county for the sale of intoxicating drinks, and have not been for twelve years past. There is but one person in our jail now, and it is empty at least half the time.

Judging from what has taken place in this county, I am decided in the opinion that your Society only touches the mere twigs of the evil by efforts to relieve the miseries of prisoners.

That the true way to accomplish your object is to strike at the cause which sends men and women to prison. Labor to prevent the sale and use of intoxicating drinks as a beverage, is the best way to relieve the sufferings of prisoners, for it will prevent people from becoming the inmates of prisons.

---

*Stroudsburg, December 9, 1866.*

We have no poor house in this county, the poor are supported by taxation, and taken care of by individuals in the different townships where they belong. The jail is pretty well attended to by its keeper, considerable attention is paid to the health and comfort of the prisoners. There appears to be an increased number of its inmates the past year, brought on in a great measure from the war that has been carried on to put down the great rebellion. Any assistance I can render in obtaining legislative action in correcting abuses and evils, which are practised in many districts throughout the State, will be cheerfully done by me.

I remain yours.

---

*Clearfield, Pa., November 24, 1865.*

In reply to this letter I have to say, that there is no change since Mr. Randolph's visit. We have no county poor house, and the jail is used for the purpose of detaining those who are arrested for crime until they give bail or are tried, and as a place of imprisonment in punishment of small offences, or where the sentence is for a short time. It is seldom full, and often empty; seldom has female prisoners, and in such case they occupy apartments to themselves. It is not

very secure, and prisoners often escape. It is very seldom that irons are put on the prisoners, and those instances are only where the prisoner is charged with a high offence and serious efforts are made by him to escape.

- Under the circumstances, I do not see that much improvement can be made until they build a new jail.

Yours, truly.

---

LETTER FROM MISS DIX.

There are few great practical charities which have not derived some benefit from the labors, the experience and the hints of Miss Dix. We subjoin a note from that lady in answer to one from the corresponding committee.

Boston, December 18, 1865.

I am in receipt of your two letters of several dates, 11th and 12th, and find it difficult to offer practical suggestions concerning the reform of common jails and work-houses, when so much has to be *wholly* rejected of what is familiar and established. It is one thing to devise and adopt sound plans and principles, and quite another to establish them in the minds of those whose money must supply means, and whose capabilities are to be exercised in administering affairs and executing minor laws and regulations. Very few of our jail buildings or work-houses are constructed on such plans as will assure the application of good moral or physical influences. I have observed also that it is not in penal institutions so much the *system*, as the *genius* of the keeper or superintendent, which has wrought out success.

But to return to the primary proposition of your letter *construction*, I would *certainly* in all jails assure *separate* confinement for unconvicted prisoners; then, according to circumstances, class and associate them in the workshops or in out-door labor. Prisoners and all evil-doers should be made to *understand* and know the meaning of laws and to measure penalties,—and further, that on wilful transgression a *sure* punishment would inevitably follow. Most men commit crime indulging the idea of escape from the just inflictions of a *legal consequence* of

law-breaking; certainty of punishment would arrest many a weak or base man on the threshold of misdoing.

I would in construction of prisons not only secure primary separation, but be especially careful to assure *perfect* drainings of buildings and grounds—a very ample supply of pure water, thorough ventilation, (by the *fan*, if not otherwise attainable, moving the same by *steam* or *hand*,) and as far as possible *regular* and *adequate* employment. There should be near a bathing reservoir,—a wash-house where the prisoners while required to perform bodily cleanliness, should also be obliged to keep their clothing clean. The *food* should be *wholesome*, and just sufficient for the unemployed, but more hearty for all workers. Suitable books should be furnished as a means of healthful, moral and religious influence and general improvement.

I cannot refer you to works illustrating prison discipline not already at your command; nor can I hope to offer any original ideas. If I can do any good through personal endeavors, in advancing the very important objects proposed by yourself and your associates in the great work before you, please feel at liberty to command me.

Respectfully,

D. L. Dix.

What you say of *soldiers* as recent offenders would pain me more if I thought *these* were men of *previouly* good habits, either of life or of industry. Will you please, if not too much trouble, procure for me answers to questions on the seventh page.

How many soldiers deserted in Philadelphia during September, October, November and December, were Americans?

How many have married since?

How many had any *home* before the war?

How many any stated or regular employment or trade?

How long did *they* serve during the war?

How many were temperate before they enlisted?

How many were resident in any city?

How many belonged in rural districts?

I think your numbers *not* large when the *class* which *bounty* men and *substitutes* are considered.

The *war* has not made *good men bad*, so far as any knowledge extends, but it has not made many bad men *good*.

## DIVERS SUBJECTS.

There are various subjects to which, in the Report to the Society, special, and in some cases, extensive references have been made ; these are no less important now than they were previously. But there is little change in the situation of these subjects, to call for additional remarks or explanation, beyond such a reference to them as will show that they occupy the attention of the Society.

No direct movement towards the erection of a House of Correction has yet been warranted by the appropriation of the requisite sum of money by the City Councils. The fiscal condition of the city is assigned as a reason for this neglect. We stop not now to inquire into the sufficiency of the reason, nor to say that public money would have been more usefully employed in the erection of such an establishment as we now refer to, than in some other uses to which it has been put. Nor do we now deem it necessary to offer an argument in favor of a House of Correction ; that question is at rest so far as the necessity is concerned.

The question of a change in the Police Courts is one that, in some measure, belongs to the Constitution of the Commonwealth. The election of the judiciary, at least of Justices of the Peace, and Aldermen, has not produced the improvement that was promised as an inducement to make the change ; nor does experience show that a

recurrence to the old system of appointment would make things better. With some exceptions, the aldermen of the city are equal to their position, and do as well as others, who complain, would be likely to do if they had to maintain themselves and families out of the fees of such an office. The aldermen have a legal right to their fees; and it is not strange that they should be as ready to secure their own rights as to enforce the rights of others. They are, sometimes apparently harsh, but when costs and fines on one hand, and imprisonment on the other, are presented in the drunkard, or the violator of the public peace, and the offender displays a well-filled purse, yet declares himself resolved to go to prison rather than pay the fine, it does not seem either unnatural or unjust that the magistrate should allow the accused the benefit of his own selection, and then let him remain where he chooses to go. Of course there are instances of unnecessary severity, apparently to obtain money; but admitting much of that, it is evident that not only would the occasion of insult to the magistrate, and the oppression of the prisoner be removed; but justice herself would escape the suspicion which the profits of office excite, should the Legislature of the State, or the Councils of the City, place some able men in the magistracy with a liberal salary, and permit no single dollar of the avails of the office to go into the pockets of the office holder.

The attempts to increase the number of auxiliary societies are obtaining more success, and it is probable that in a few years, all that may be advisable will be formed. Regular communication with corresponding mem-

bers, until such societies shall be formed in some parts of the State, will serve all the purposes of intercourse.

The State Agency, referred to last year, was eminently successful, and the benefits proposed by its temporary establishment must, for the present, be waited for, in the action of the Legislature of the State.

On the subject of Pardons, we are happy to state the opinion expressed in our Journal last year have met with general approval, both as regards the disavowal of intention by the Society of interfering with the sentence of individual prisoners, and as regards the general views expressed on the danger of hasty pardons after partial service. There is no occasion to repeat the sentiment of the last year's paper. It is now only to be remarked that those views remain unchanged.

## PART SECOND.

---

### DOMESTIC AND FOREIGN REPORTS.

The “Acting Committee,” aware of the interest felt in the movements of foreign nations, and in neighboring Commonwealths, in the punishment and improvement of prisoners, availed themselves of opportunities to acquire copies of Reports on these subjects, in various States, and to import from France, and Great Britain and Ireland, official statements with regard to prisons. It is a subject of regret that they have no statements with regard to the prisons of Italy, Austria, Belgium, Germany generally, nor of any of the northern kingdoms of Europe. It is not known, indeed, how many of those kingdoms require reports from the administrators of prison laws; nor have we any Reports from any of the South American States; and what is more—none from any other States in this Union, than those noticed in the subjoined abstracts. It is hoped that many of those States and Kingdoms that have not taken interest enough in their prisons to require an official report of the administration of the penal laws, will soon see the humanity and policy of adopting the measure, and those

that have caused such reports to be made, will add to the good work, by having their reports also published and circulated.

The Committee have Reports, partial or complete, from only five States of this Union, and it has imported from Europe all that were to be obtained, at present, from that side of the Atlantic.

Among the most interesting reports of prisons that have reached the Society, are those from France. They are well arranged, and minute in description, and denote care, on the part of the Imperial Government, of all that concerns penal policy. The whole subject of jails, prisons and penitentiaries, belongs to the "Minister of the Interior," who appoints a person to have a particular watch over the whole of the administration of penal affairs, and to make an annual report to him of the statistics and condition of every penal house and of all the prisoners in each establishment.

The Reports now before us extend from 1856 to 1862 inclusive, and with the exception of a history of the penal houses, and of the progress of prison discipline in the Empire, they are all that could be desired. Certainly, as exponents of the number and character of prisons, the manner and success of their management, the number, sex, condition and crime, punishment, health, improvement and employment of prisoners, these reports seem to be almost the *beau ideal* of prison exposition.

The plan which, nearly two years since, the Philadelphia Prison Society suggested to the Governor of the Commonwealth, and which was by the latter referred

to the Legislature, seems to be completely carried out in France; and every year an officer, specially designated for that purpose, makes report to the Minister of the Interior, of all that concerns the penal institutions, private or public, of the Empire, and some of its contiguous colonies; so that the exact state of every prison house is made public, and the full development of all the proceedings, from the House of Refuge to the Penitentiary, is presented.

It may be asked, "If such a result is reached in France, why may we not have a similar exposition in the United States?"

The answer is plain. The United States Government has no system of prisons. The national courts, except in the District of Columbia and in the Territories, send their convicts to State institutions. Nor can the plan be adopted by the States, in any concert, as in some of them there is no settled plan, and in no two is there any attempt to assimilate prison discipline. So that we may not look to our National Government for any such Reports as we have received from Great Britain, or as are now noticed for France. But there is no reason in the world why each State should not cause a report upon its own prisons to be made; and if any of them (as certainly some of them are) should be deficient in system or in execution, the exposition itself would be the means of suggesting and securing the improvement desired. A knowledge of the real character and extent of the evil is what is necessary to secure efficient exertions towards a remedy. Massachusetts is approaching order, at least, in her prisons, and something like per-

fection in the plans of Reports. And some other States, moved as Massachusetts has been, by the efforts of benevolent individuals working in organized associations, are approaching the great subject. And Pennsylvania, famed for the excellence of her leading principal penitentiaries, and the efficiency of some of her county prisons and houses of refuge, has been urged to adopt the system which is so admirably carried out in France; and she owes it to her own character, and to justice and mercy, to establish some rule by which the operation of every house of detention, from the house of refuge to the two penitentiaries, may be brought into a concert of action, so that the relations of each one with all, and the operations of each and all, shall be made more efficient by concatenation, and the public generally be made, at least be enabled, to appreciate the results of the penal system of the State, and its effects upon the prisoners, and through them upon society. We must refer to this application of the French plan to the Pennsylvania wants; and in the mean time we shall notice more particularly what is reported of the prisons and prisoners of France.

We repeat then what we have before noticed, viz: that there is a complete *rappoert* between all the penal institutions of France. They are all related, though one be an institution for moral and literary instruction of boys and girls that have been disorderly or disobedient, and the other be the receptacle for the offenders against the laws of the severest protracted penalties, where the chain and the ball are the constant obstructions of the convict's movements. And the report is as definite as to each "pupil" of the "house of detention"

for children, as it is in regard to every solitary occupant of the darkest dungeon of some of their yet unimproved prisons. The prisons of France, including those in Algeria, and especially the large national institutions on the Island of Corsica, are all connected; each by its grade is connected with the other and to know the rank of the prison, and its rank is indicated by its title, is to understand the character of the offence that is being expiated therein, and the kind of discipline, moral and physical, in which that expiation is performed or suffered.

Of course much of these long and minute reports relate to subjects that are primarily interesting to the inspectors and superintendents or wardens of prisons, as treating of the number of condemned of their convicts, discipline, instruction and reward; and such is the minuteness of the positive and comparative statements, that we do not see how any one connected with the direction of a prison can fail to be instructed by the statement, if he can find time and means to possess himself of their contents.

But those who are interested in the alleviation of the miseries of public prisons, find in these reports that which must assist them in their plan of benevolence—benevolence which is to be operative not only to the comfort of the individual prisoner, but to the well-being of all the incarcerated, and through them to the benefit of society.

Of the character of the inquests and of their intended effect, the Minister of the Interior of France, thus speaks to the Emperor in 1852 :

“ This inquest is connected with the administration

of common justice by detective and repressive detention, with all our public, religious and educational institutions, by the moral reform and the elementary education of the old convict and the youthful prisoner, with agriculture and commerce by the agriculture *colonies*, (the class of prisoners condemned to field labor) and the extensive penitentiary labor, with the general security, by a watchfulness over both the prisoner and the liberated, and finally with the interests of the public treasury by the costs and the products of the whole penal institutions."

There is a fulness in the above extract which commends itself to the attention of the people of the United States, and especially to the citizens and the legislators of Pennsylvania, who certainly cannot be less concerned in the efficacy, success and costs of public prisons than are those of France.

The costs of the whole of the prison system, prisons of every character and name, including the cost of education and the transfer of prisoners from one department to another, was in 1856, 17,651,998 francs; and the cost was gradually reduced, so that in 1860 it was 14,447,118 francs. And while that diminution of costs was going on, eleven (11) new prisons and agricultural penal establishments were added to the former list. The cost of transportation, however, was reduced from eighty-four to twenty-five francs a head by the substitution of the railroad carriages for the ordinary vans on the common road.

It is difficult to form a correct idea of the character of the penal treatment in France simply by reading the reports, as terms derive consequence from local and

special use, personal observation is therefore necessary to a full understanding of certain parts of the statement which we are now examining. Yet, on examination, the arrangements of Courts are not greatly different from those in some of our States. There are three grades of Criminal Courts. The first answering to that of our Mayor, or Alderman or Justice of the Peace, and this officer or court is called the Tribunal of Police—the Police Court or magistrate office of this State.

Second. *The Tribunal Correctional.* This is composed of magistrates that hold the first Court.

Thirdly. *The Cour d'Assizes.* Our Court of Quarter Sessions. In this Court there is a jury. There is no appeal from *this* Court. There are also Courts of Appeal.

The prisons of the Empire are graded from the smallest house of detention to the receptacle of the worst class of offenders; from the house of the child detained for disobedience, to the prison of the old man condemned to hard labor for life.

These prisons are all visited by different officers at stated periods, generally once a month, and the president Judge of the Court of Assizes visits the prison of his district before the opening of each session of the Court, and many officers are bound to visit the prisons frequently. In addition to all these, there is a board of prison inspectors for each prison, with two "Inspectors General." Among all these different visitors it would seem that the cause of humanity might be served, but it may be feared that the official visitations have more

reference to the punishment than to the improvement of the prisoner.

We see in the report very little of the doings and sufferings of a class of prisoners that crowd the cells in this country, viz: drunkards, only few such persons comparatively are arrested in France. When seen in the street (very rarely indeed) they are treated rather as unfortunates than criminals, and are helped home for nursing, rather than to the police station for punishment. Times will probably change, and with them the manners of the people and the character of treatment. Bad brandy is sold in Paris, and in many other cities of France, and if the natives are yet unaccustomed to the hospitality that destroys the stomach and turns the head of guests, or to the habit of visiting rum shops for personal gratification, it is probable that the number of foreigners that crowd Paris in certain seasons of the year and bring with them their customs of hard drinking will, before long, place drunkenness in the list of acts that call for "*afflictive*" punishment. Already one may see in certain windows of shops round the corners in Paris, notice that sherry cobblers, mint julips and other American drinks may be had within—and once in a while is detected the person of a Frenchman mingling in the crowd that is imbibing these nectars of *our own* country, and preparing himself for the police forum.

It has already been stated that there is a connection, by law, between all the penal establishments of France, whether public or private, and we become interested in those which are intended for children, answering, in

some places, to our House of Refuge, and others to our Homes for Children, and occasionally partaking of the character of a simple asylum.

The number of establishments in France, public and private, destined to the *correctional* education of children is about fifty-six, of which nine are public and forty-eight private: thirty-two for boys and twenty-five for girls. Some of these are connected with the prisons, and others are really what we should call, in this country, farm-schools.

Most of the private establishments, twenty-five in number, for girls, are conducted by the inmates of religious houses. Of course, in most of these, the Catholic religion is taught and its form of worship practised. But at Strasbourg there is a *prison* called the Institute for Catholic and Protestant Servants. And, while on this point, we may as well add that, in the reports which we have been examining, it is stated that a certain large penitentiary has been located, with a special view to the fact that, in that city and its vicinity, there are many Protestants and Jews whose services in behalf of the morals of the unfortunate inmates may be readily rendered to those of their own profession, and the returns show that these services have been profitably rendered. In these institutions the inmates are secured in the benefit of an education, professional or agricultural, and they are transferred, from one house to another, as the educational means of the houses may warrant.

In looking over the classification of these children prisoners, according to place of birth, ages, &c., we are struck with one category. In 1860, one-fourth of all

these were illegitimate, and one-half were orphans, with only father or mother (half orphans); one-tenth were without both father and mother. But it is noteworthy that, while a vast number of *abandoned* children in France, and especially in Paris, Marseilles, Lyons, and other large cities of the Empire, are received, almost from their birth, into foundling asylums, and are raised till of age to put out, yet the number of children who have been reared in these asylums, and subsequently found their way into the penal-house, is quite insignificant. A proof of the existence and practice of wholesome discipline, and of sound instruction in the Foundling Hospitals, and of the general benefit of early (the very earliest) moral and religious training.

The labor of these prisoners, generally (we are now speaking of those under twenty-one years), is divided into agricultural and industrial; and this division extends to girls as well as to boys; and even the religious communities, convents, &c., which receive young girls, are invited to enclose large portions of their ground, so that their *prisoners* may be instructed and practised in the art of farming and gardening.

The administration of prison affairs has not neglected to give the preponderence to agricultural employment in all the establishments which it directs. And the new government establishment on the Island of Corsica, of immense size and capacity, is to receive, as one of its principal elements of population, children sentenced to severer punishment than those that are to be retained in the local houses, and there the education will be largely agricultural.

Of all the children sentenced to these primary prisons, about one-third could read and write; and almost all have, in the prisons, learned to read and write and cipher; if ignorant, or, if passably educated, they have advanced in their learning.

The causes of commitment vary from assassination, poison and arson, down to disobedience to parents. Of course there are some for intoxication. Simple small thefts amount to nearly 30,000; disobedience to parents, 980; and each offence has its special punishment. The religious and moral instruction seems to be provided for in most of the prisons; and, perhaps, the best means of securing to the young the benefit of this instruction is the enforcement of labor, in a particular direction, by which some trade or respectable industry is acquired. And we notice that the government has provided rewards for the various classes of boys and girls, according to their age, and especially according to the time of their imprisonment. And it is a sign of improvement that the number to whom these tokens of approval were awarded doubled from one period to another. And a concluding paragraph in one report, relative to children, that would include all from six to twenty-one years of age, says: "Signs of great improvement are noticeable in the children's conduct, and the administration has been enabled to discharge, provisionally, many of the young prisoners on account of good conduct; and the directors of the establishment have given an increased number of certificates of the savings bank, and also pecuniary recompense. This is a tendency which it is gratifying to encourage."

A large proportion of the *children* are occupied in field and farm labor, yet attempts to escape are very rare. In these prisons and farms for the young, the number of deaths is about four per cent. per annum for boys, but the per centage is greater of girls, owing, probably, to their sedentary habits.

About fifteen per cent. of the boys, and eight per cent. of girls, after being discharged, are reconvicted and return.

In the last period of five years, 9,678 had been liberated, almost all in good health, with tolerable good elementary and religious education, and in a condition to gain a living. Of that number 7,513 returned to their families; 1,680 had been bound out to citizens or remained in the establishments; 131 had enlisted in the army or navy; and 354 had been confided to the societies formed to receive and direct such young folks. These societies (*de patronage*) are so useful that regret is expressed that they are not greatly multiplied. The Society of Seine,—that is, of Paris,—is eminently successful. All of them, however, find some difficulty in the clashing of their own with paternal authority.

Children, on leaving the various prisons and prison farms, receive good clothes, and, some of them, small sums of money. 6,182 children, discharged, received clothes costing 154,948 francs; and 5,458 received money, amounting to 82,033 francs.

The reports for 1852 intimate that the French Government has determined to extend the uses of penitentiary farms; and the advantage to the health of the prisoners is deemed very important. Large establish-

ments of the kind have been formed in various parts of the Empire; but especially has the Island of Corsica been selected for these agricultural schools, two of which are in full operation there, one at Casabianca, and the other at Clairvaux. The face of the country, the climate, the soil, and the entire isolation of the establishment, insure profit from the labors, and security from escape. But this is studying profits a little, and perhaps health some; yet the constant association of the convicts can scarcely be regarded as a means of moral improvement.

The proportion totally uninstructed among the prisoners of the large establishments in France, is certainly greater than in this country; for example, of prisoners whose crimes were not so great as to admit no instruction, nearly two per cent. were well educated; fifty-four per cent. could read, and read and write; and forty-four per cent. were entirely without elementary instruction; and the Report says, "These numbers seem to establish the fact that superior education is incontestably a preservative against the transgression of the laws of social order: that the education which stops at the first elements, differs very little from absolute ignorance—when it is not accompanied by moral instruction." And it is well added: "The administrators of the penitentiaries are earnest in their endeavors to unite moral and literary training, by causing a co-operation between the chaplains and the 'sisters,' in the elementary instruction, and also at the courts in the prisons, where are pronounced sentences for violations of rules. These services, with the concurrence of religion and labor, constitute the moral order of the establishment."

Yet, we notice that only twenty-one per cent. of the prisoners profit by the lessons of the school, more than forty per cent. made no progress, and thirty-three per cent. remain totally ignorant.

In explanation of the last fact, viz : the great number of those who had no learning when they entered the prison, and acquired none there—it is stated that sixty-one per cent. of them are from the country, and that almost all who have passed thirty years (of which there are about thirty-three per cent.) are unfitted to receive any instruction ; and finally, that the benefits of schools are refused to the depraved and the perverse. Thus about seventy per cent. are unlikely to learn, and of 1,860, of both sexes, admitted to the school in one year, 225 have been dismissed for misconduct, and 105 for inaptitude.

When a prisoner is received into any of the prisons in which he is to be retained, his name is inscribed on a list, according to his former occupation ; and these pursuits are classed according to some analogy, thus : cabinet makers, carpenters, coach makers, cart makers, turners, coopers, &c., are together. It may create a smile to notice that pedlars, singers, and chimney-sweeps are placed in one category.

Ninety-three per cent. of the men, and ninety-six of the women, condemned to labor, follow the same pursuits in prison that they exercised before condemned.

It is remarked, that of all the prisoners condemned to hard labor, the greatest number is invariably found among those employments which require the least intellectual or manual aptitude, *e. g.* masons' assistants, day-

laborers, &c. The soldiers and sailors have a large proportional representation among those who are at hard labor—who are in solitary confinement or in irons. Among those who are condemned to what is called reclusion or solitary confinement, we find 11,608 men to 2,270 women; but it is remarkable that, of those condemned to hard labor, there are 1,453 women to 544 men; and of these, the sentences to hard labor are—from five to ten years, 130 men to 518 women; from ten to twenty years, 263 men to 632 women; and for life, 151 men to 303 women. The punishment of chains is diminishing, and will soon cease by law.

In the list of the crimes for which the prisoners are to suffer, we notice that fifty-three per cent. are for personal violence. Nearly half are for robberies. The number of infanticides is 817, of which thirteen are chargeable to men, the rest to women. Of murder there were 416, of which 192 were by women.

Of the whole number of prisoners (21,171) in the great prisons, 7,077 men and 995 women have been previously condemned from one to six times. The Report shows that these returned prisoners (*recidivistes*) are chiefly those who had previously suffered only a very short imprisonment; and in proportion as those returning prisoners have been condemned to solitary confinement, (reclusion,) is the diminution of their number. The following remark of the author of the Report is worthy of notice, as being at once a valuable testimony to separate confinement, and to the necessity of leaving the prisoners without hope of pardon. We therefore translate.

Our observation is confirmed by the criminal statistics, which have, for a long time, established the diminution of numbers of those who return to the prison upon having undergone a severe sentence in a former period. The discipline, the privation, the religious instruction, the education moral and professional, require a certain time for proof and a sustained practice, that they may exercise their salutary influence upon natures hardened and generally opposed to every thing that contradicts their instincts. By these means, those who are in separate confinement during all their imprisonment—which is an average of six years—are placed in a condition to feel the effects of the penal regulations, to learn a trade which will lead them to industrious habits, and furnish them, at the expiration of their sentence, with a sufficiency of money, their own earnings and savings, to guarantee them against the suggestions of want, and occasions of falling again into crime.

We refer our readers to a letter in our last year's Report, on the subject of pardons, as corresponding with these ideas of the French writer; and still further will our views be confirmed by the following, which we translate as a continuation of the same remark :

"The *correctorials* (those who, in some degree, answer to the inmates of the county prisons in Pennsylvania,) who form more than two-thirds of the population of the prison, are discharged from the establishment in great numbers each year, without having experienced the pain and the intimidation which ought to have been exercised—before they have received essential ideas, religious, moral and industrial, and acquired resources which would aid them to return to an honest life. They take away from these central prisons only the sad influences and the unfortunate name of "discharged convict," which, by a deplorable prejudice, hinders them from procuring labor. Do not these considerations suffi-

ciently explain the considerable number of second, third and fourth convictions of men who, in their former imprisonment, suffered only the ordinary sentence?"

In addition to the statements to which we refer, there is also a particular report of the kind, amount, and number of punishments inflicted upon the prisoners for violation of the rules of the prisons.

The following requirements of the authorities show the kind of offences :—

Absolute, silent, steady labor from ten to twelve hours daily, according to the seasons ; prohibition of the possession of money, of the use of tobacco, spirituous or fermented liquors.

Violation of these rules incur for punishment :

Solitary confinement, with or without labor.

Chains, if the prisoner be violent.

Interdiction of the walk for a greater or less time.

Deprivation of food ; diet of dry bread and water.

Certain fines, and the suspension of the reward for over-work.

In the list of the punishments, we noticed that the proportion of women who have talked too much is less than that of men. The prohibition of conversation is considered the most severe discipline.

**PARDON, COMMUTATION, &c.**—Of 21,000 prisoners, 320 men and 48 women have been pardoned ; 36 men and 4 women have had their punishments commuted ; 350 men and 80 women have had their sentences reduced.

Here it is worthy of note, as confirming the former

remarks on separate confinement, that, of the catagories of those pardoned, those who were in solitary confinement and represent only a quarter of the whole number of prisoners, exceed those who were associated in the prisons, although the latter were two-thirds of the whole.

Of those who received direct rewards for good conduct, there were 1,730 men and 170 women.

**OVER-WORK.**—In the prisons of Pennsylvania each convict usually receives a compensation for his labor, after a certain amount is earned for the institution. This is done by fixing the amount of each week's labor, and then paying fairly for all excess. Or the workman is allowed a fixed compensation for all of his work; and usually, an industrious person can save about one hundred dollars a year. In France, the following is the tariff of compensation :—

For those condemned to hard labor, three-tenths of their earnings.

Solitary confinement,	four-tenths	"	"
-----------------------	-------------	---	---

Ordinary correctional or common prisoners,	five-tenths	"	"
--	-------------	---	---

For those who are reconvicted a second time, one-tenth is deducted, till the last tenth, which must, in all cases, be retained for encouragement and profit of the prisoner.

By a recent regulation there is an examination, every six months, of the labor and conduct of the prisoners, and their rewards or wages may be augmented or reduced, accordingly as they have conducted.

Under this head we may notice what is called *Pecule* —the parts allowed to the prisoners of the products of their labor, constitute the Pecule, which is divided into two equal parts, one is at their disposal for the purchase

of supplementary furniture, and the other is retained till they are discharged, if it exceeds not twenty francs (\$4), if it exceeds that, the excess is forwarded to them at the place of their residence. If the discharged prisoner should not have any Pecule, or but little, he receives aid to return home, and clothes.

The Pecule earned in the prison for the last year was	828,702 francs.
" " taken away by the prisoners, was	622,362 "
	1,451,060 "

The gross or average extra earnings are 23½ centimes for each day of labor, or a little less than five cents a day.

It is proper to add that, in addition to the “pecule disponible,”—that is, to be spent in the prison,—the convicts receive considerable additions from their contractors, the overseers, &c. Under the head of rewards and encouragement, in the report for the last year, these rewards amount to 206,615 francs; but this is liable to deductions for misconduct.

The costume of the prisoners is composed of a dress made of drugget—linen and wool for winter, and linen and cotton for the summer—of caps, wooden shoes and slippers.

The food is as follows:—A *ration* of 750 grammes (a gramme is about 19 grains,) of bread, one-third rye and two-thirds wheat; one quart of soup, containing 90 grammes of white bread and vegetables; and, on Sundays, 150 grammes of meat, compose the food. Those who earn “pecule disponible” may add to their rations, and send the remainder to their families, or make volun-

tary restitution to those whom they have wronged. These two last items augment every year. It is beautiful to observe the increasing amount used in reparation, entirely a matter of conscience.

The report speaks most encouragingly of the expense of agricultural prisons, especially of one in Corsica; and the production of cereals, and of cattle, has been remunerative. Of these agricultural and horticultural prisons, we can only say that they appear to us preferable to the associated system of in-door labor. If separate confinement is to be dispensed with, then, we think, the field is better for the prisoner than the workshop; and especially is it to be preferred for the convict who has been used to a country life.

In these colonies the average day's labor, out of doors, is about 75 per cent. of all the time.

Of course, in this country, we could do but little with a farm penitentiary: it would cost too much for guards, unless, indeed, we could make some of the islands of our great lakes, or our Atlantic coasts, penitentiary stations. Men would *work* there, perhaps, but would they *think*?

**CHILDREN.**—It is proper to state here that boys and girls are sent from the ordinary correctional establishments to the agricultural colonies, not arbitrarily, but after remaining in close confinement for six months, in which time the directors have opportunities for judging of their capabilities. In all the establishments care is taken to separate the young from the old offenders; and, from time to time, they have a kind of promotion; and, at the time of their discharge, they are placed under the

patronage of "public assistance" for three years or less. In Paris, the "Society of Patronage" steps in at this point, and takes charge of the discharged, and supplies them with suitable employment.

There are twenty-five Houses of Correction for girls, one only of which is public; the others are private, probably like our Homes, though under the operation of the general laws of the Empire. In all these (twenty-five) houses the young girls were occupied in suitable labor, principally with the needle. But, in 1862, the "Minister of the Interior" directed that as many girls as possible should be occupied on farms and in garden-work; and this order has already been obeyed, in part, in several of the private establishments. In the prison known as "The Solitude of Nazareth," agricultural labors have for a long time been applied; and most of the establishments are now getting ready for the new application of labor.

The population of all these houses for children, of both sexes, were, in 1862, 8,172, viz: 6,463 boys and 1,709 girls. The number of boys diminishes annually, that of girls increases.

In 1862, the number that died was 194; and 64 boys were placed at apprenticeship; 2,410 left on account of the expiration of their terms of punishment.

Of the whole population, 6,762 were legitimate, and 1,410 illegitimate, the latter being about 17 per cent. of the whole.

The largest portion of these little prisoners were children of parents living by their labors, or without regular employment,—beggars and vagabonds,—a vicious edu-

cation, and the want of parental watchfulness, explain the large number of this class.

The following is a statement of the religious relations of these young offenders :—Catholics, 8,035; Protestants, 123 ; Jews, 14.

The administration takes care that the children who are not Catholics shall be transferred to penal establishments, where they may receive religious instructions of their own communion, and follow its practice. The children of the reformed worship (German Protestants,) are sent to the Colony of Saint Foy. Liberty of conscience is thus secured. It would seem that the government of France is solicitous about the education of the children that are confined for crimes. Care is taken to ascertain the exact amount of education which each young prisoner has received, when he enters, and to note the progress, if any, on leaving.

Of 5,331 entirely illiterate, 4,223 had, in 1862, received some primary instruction; 1,865 had learned to read; 1,282 to read and write; 1,186 to read, write and cipher.

The sanitary state of the prisons is constantly improving. The deaths were about two and a-half per cent. for the year. Of the whole number (8,048,) 1,956 were released; of which number 280 were under sixteen years of age. Of the whole 65, of whom 61 were boys, had been previously in prison.

During their residence in these prisons, 1,083, viz: 932 boys and 151 girls—had acquired a good knowledge of farming—873 some mechanical trade; so that 1601 of those who were discharged, were in a situation to

earn a good living. There were 355 (of whom 149 were girls) who, from bad health or inaptitude, were not in a situation to labor. Of those who were liberated, 95 boys and 65 girls remained, from choice, in the establishment. 1191 boys and 226 girls returned to their families. 98 boys and 11 girls were confied to the Society for providing for children discharged from prison. And by the care of the Directors, 12 entered the army and navy; and 193 boys and girls have been placed as agricultural laborers and domestics.

This part of the French Report thus terminates:

“A general plan of management, discipline, economy, and schools and professions, will soon be established.

“There will also, before long, be provided means for patronizing the young prisoners during the three years that succeed their liberation.”

In vain will the State have imposed upon itself the sacrifice to detain, elevate, and endow with professions, the children of which it assumes the care, if, on their discharge from the public establishments, there should be no assisting institution to watch their first step in the path of freedom. The organization of the Society of Patronage secures this triumph, without which the rules for correctional education would be incomplete and inefficient.”

**PRISON HOUSES.**—There are 404 prisons, and 2,242 rooms and depots of security, in Paris and the other parts of France, in which are kept the persons of both sexes who are accused and arrested, and those condemned to

one year imprisonment and over, or who are waiting to be transferred to the large penal establishments, or are prevented from removal by some civil action, debts, or police requisition.

The greatest number of these prisons, taken for the use of the department in 1811 and since, and which had not been constructed for such purposes, were for the most part very defective as places of detention, with regard to order, discipline and salubrity. In 1852, of 397 prisons, 60 barely realized in any degree the requirements of the penal code. In all the other the entirely promiscuous mingling of the prisoners confounded all classes and both sexes. The Government, in 1853, having renounced the cellular system, (that is not to be confounded with separate confinement) direct reports from Prefects relative to the reconstruction, or new uses of the buildings, according to the plan of separation by categories, or classification of crimes, or by means of quarters of chambers, common or individual, according to the number and the class of the prisoners, and the necessities of discipline and judiciary instruction.

Besides all these, the prisons at that time were generally in a most shameful condition; destitute of furniture, clothing, bedding, and of all materials necessary to the service. Grave abuses also existed in the supplies, and in the regulation of expenditures. By a law of France, the State took in charge, on the first of January, 1856, the expenses of the service that had previously been paid from the funds of the departments, and the result has been the correction of monstrous abuses, and the introduction of excellent and cheap supplies into the prison,

a diminution of actual expenses, and a progressive augmentation of the product of prison labor.

The expense of the service was, under the old regime, 1 franc 13 centimes a day for each person. At present the expense is 80 centimes—about 16 cents of our money. The product of the labor, which in 1855 was, in all departments, (excepting Paris,) 15,466 francs, was in 1862, 900,000 francs.

In 1862, more than two-thirds of the prisons of France realized the object of the law, as it concerns the separation of divers classes of the convicts, and the alleviation of the evils of the old prisons is rapidly progressing.

**PRISONS OF PARIS.**—The Report from which we are now deriving these interesting statements, separates the prisons of the Department of the Seine from those of other parts of the Empire, as the population of Paris is different from that of the other parts of France, and especially as the means for meliorating the condition of prisoners are more available, and perhaps better arranged, in that city. The separation is just on many accounts.

There are in Paris eight prisons, including the depot for the Prefecture of Police and the House of Correctional Education for young prisoners—a sort of house of refuge. The depot mentioned above is the receptacle for those who are to be transported, and is a kind of depot of safety; about 40,000 persons of both sexes pass through it each year. Four of these prisons are exclusively for men; one (Saint Lazar) is for women only.

The other three contain both sexes. In this category is Clichy, the "Debtors' Apartment" of Paris.

The average population of all these prisons (in Paris) was, in 1862: men, 3,523; women, 1,430; total, 4,953. The whole number of commitments that year was 25,570 men, and 8,887 women; total, 34,457. Rather more men discharged than were committed. Of those who were committed in 1862, 14,838 men and 8,465 women were arrested in that city; 10,727 men and 422 women came from other prisons.

Though imprisonment for debt is still allowable in Paris, yet we find, in the list of commitments, only 118 from that cause. Of the very young who are sent to the public prisons of Paris, we find only 21 who were tried, and 86 detained by parental correction.

**PUNISHMENT OF PRISONERS.**—There were in the Paris prisons, in the year 1862, 2,991 punishments inflicted. They were as follows:—

Put into a "dungeon" (dark cell),	-	-	2,010
Fed on bread and water, from one to three days and more,	-	-	717
Other punishments,	-	-	264

205 prisoners were punished three times each, and 75 more than three times.

The punishments were more numerous in 1862 than in 1861, by 327; but it is not stated whether these proceeded from a more general application of rules or a more frequent violation of them. Nor are we told what was the exact character of the offences.

**SANITORY.**—6,755 prisoners entered the infirmary, and 25 were sent to the hospital. Of 193,064 days spent by all in the infirmary, 75,940 were by men, and 117,340 by women, and 1,786 by girls; 370 days were spent in the hospital.

There were thirteen cases of mental alienation, from causes preceding imprisonment, and seven cases presented for the first time in prison.

There were 473 deaths, of which two were suicides. Among the deaths were 315 men and 161 women. The deaths were about 8½ per cent. The proportion of deaths decreases. In 1860 it was 10 per cent.

**LABOR AND ITS PRODUCT.**—There is an organized plan of labor in all the prisons of Paris excepting that of Clichy, (for debt,) where inmates are not subjected to the rule of work.

In 1862, about 62 per cent. of the prisoners were employed in various kinds of mechanical labor and in “house-work.”

In 1862 the product from labor was 392,790 francs, or about 40 centimes (8 cents) for each day laborer. This is an increase of 30,000 francs over 1861. In the year 1855 the product was 221,000 francs.

**OF THE PRISONS NOT IN PARIS.**—There are 2,240 prisons (besides those of the Department of the Seine) in France. This includes all grades—houses of reception, of correction, detention, and depots. These contained a floating population of 290,370 men, and 70,899 women; total, 362,269; of whom, 14,922 men and

3,979 women remained at the close of the year. The number of commitments is about 2,000 per year.

Fifty prisoners made their escape; of whom thirty-six were retaken, which, considering the miserable state of some of the prisons, and the exposures of the Agricultural and Horticultural Establishments, denotes great watchfulness. The guards, or keepers of various grades, are 1,220, of whom 900, private and ordinary, are for the men, and 320 lay and religious are for the females, and a chaplain (Aumonier) conducts the religious services in each prison.

In mentioning the number of *religieuses* keepers, it is proper to recall to our readers the fact that many of the young women (offenders) are sent to convents and other religious houses for correction and improvement, as in this city females are withdrawn from the prisons, to be sent to the Howard Home, the House of Industry, the House of the Good Shepherd, the Rosine, or the Magdalene. But in France the care of the State follows the female to her new home, and the responsibility of care, kindness and accountability is upon the nuns or Sisters into whose establishments they are sent.

We notice that in the prisons outside of Paris and its environs, there are 396 men and 87 women, debtors to the Government, and 138 men and 3 women debtors to the citizens.

**DISCIPLINE.**—Punishments for violation of prison rules are similar to those in Paris, viz.: bread and water, dark cells, chains, in case of violence or of fury. The

whole number of punishments for the year was 22,250, of which, 3,647 were inflicted on the women.

The discipline varies according to the legal situation of the prisoners. That for the untried consists in interdictions of sports, of cries, songs, and loud conversation ; visits are confined to the parlors, by permission of the prison authorities.

The convicts are subjected to more severe rules. They are made to undergo severe labor, to wear the penal costume ; they are not allowed to receive visitors, excepting their nearest relatives, unless specially authorized by the Minister of the Interior or the Prefect, or sub-prefects ; and tobacco, fermented drinks, the possession of money, and the occupation of reserved chambers, are interdicted.

LABOR AND PRODUCE.—The untried seem to have a claim upon all they can earn over and above the cost of living. The work of all the prisons seems to be in the hands of outside persons, who make contracts with the Government, and then get as much work as possible out of the prisoners by extra payment.

The profits of their labor seem to be constantly augmenting in proportion to application of the new rules and the conformity of the prisons to the general regulation.

The whole *ordinary* expenses of the prisons of France for 1856 were 17,041,998 francs. In 1862 they were 14,459,605 francs. The average daily cost of each prisoner is 83 centimes, or about 17 cents.

HORTICULTURAL PRISONS.—In the course of this abstract we have mentioned the agricultural school prisons for young folks, and at the risk of repeating some figures, we translate a notice of the new Horticultural Colony of St. Anthony, on the Island of Corsica, containing 350 hectares, or 720 acres of land, costing the Government 45,000 francs.

The colony is composed of rural buildings, about three and a half miles from Ajaccio. Houses are erected, and all the necessary appliances of a settlement are furnished. The surface of the land is broken, hilly, and marshy plain. Great and successful labor has been bestowed. All kinds of vegetables are raised in the valleys and slopes, and nurseries have been formed. The summits of the hills are being covered with fruit trees, and though for the present the face of the land forbids large production, yet enough is raised to feed the cattle and supply the table of the prison.

The colony is intended for 600 children, (let it be remembered that by children is understood all from six to twenty-one years; of course most of the children from sixteen to twenty-one are sent to other prisons,) who have been condemned to at least two years imprisonment, and the *insubordinate* of other establishments.

The health is good, the deaths being about 2.39 per cent.

In this colony, as in others of a like character, the young inmates, besides labors purely agricultural, are taught arts that appertain to agriculture generally, and to ordinary pursuits—shoemaking, tailoring, carpentering, wagon-making and mending, and repairing

houses, clothes, &c. ; and care is taken to avoid the habit of confining the children to a single trade.

OTHER ITEMS.—It is interesting to notice the causes of imprisonment in the several establishments for children :

Assassination, 9 boys and 5 girls ; murder and arson, 132 boys and 38 girls ; indecency and violence in that direction, 218 boys and 112 girls ; assaults with violence, 122 boys and 16 girls ; simple robbery, fraud, stealing, &c., 3,950 boys and 880 girls ; qualified robbery, passing counterfeit money, &c., 342 boys and 25 girls.

We notice that 502 boys and 187 girls were committed in 1862 for begging, and 1,133 boys and 296 girls for vagrancy. For disobedience to parents, 55 boys and 150 girls—a very curious and serious charge in the relative proportion of the sexes.

By the law, the Court may decide whether a child is of sufficient age and mind to be amenable to the penal statutes ; and in 1862, 7,975 were acquitted on the ground of inability to distinguish right from wrong. These were not sent home, but were placed in public or private institutions, where their morals and their manners could be moulded to good.

The children are punished for infraction of prison rules as severely as are prisoners of mature age—close confinement, dark cell, bread and water, &c.—and the principal offences in prison were, in number, 23,074. In kind, they were theft, immorality, assault, idleness, and insubordination. For theft, the girls committed about 40 per cent. ; for assault, about 12 per cent. ;

idleness, about 15 per cent.; insubordination, 60 per cent. Yet the whole number of girls is not 25 per cent., showing that they are more inclined to the infraction of house rules than to the violation of state laws. Of course, in noticing the number of offences against the rules of the House, it will be recollected that some of the inmates contrive to get themselves into discipline about every week of the year. They probably would have made themselves as often amenable to the criminal laws of the State abroad had opportunities presented. Offences against private rules are usually only abortive attempts at violation of the public law. The same animus is discoverable, the same motive is traceable; nothing is required but the means and opportunity. Fear and policy often lead the prisoners, old as well as young, to put on an appearance of submission when none is felt. Such persons make a part of a class of offenders abroad quite as dangerous, if not as violent as those who doggedly and insultingly set at defiance the rules of the prison, and commit every fault that at the moment seems most gratifying, and has with it the chance of evading detection. It is, we think, the experience of most of those who are connected with the government of prisons, that the female portion are usually much more given to the violation of prison rules than are the males, while the number of males committed for considerable crimes is greatly superior to that of females. It is not very gratifying to exhibit the superiority of the male sex by the extent and number of their crimes, nor will it be admitted as an argument in

favor of the equality of the sexes, that females require more discipline in prison than males.

A good Providence has directed that the true measure of the qualities of human beings is their virtues, the practical, substantial, thought-conferring qualities which they possess and exercise. With that standard we may admit that there is an equality in the sexes, each estimated by the qualities that are proper to its condition.

---

## GREAT BRITAIN.

We have received from London the official returns of all the prisons in England, Ireland, Scotland, and Wales, and the statement is full and creditable to the officers. In a former number of our journal we made such copious extracts from, and such full abstracts of these reports, that we gave our readers full means to understand the system of prison punishment in Great Britain, and the general mode of its administration. We shall have to refer those interested, to our labors then, for much that relates to the subject, as our limits will not admit of an enlarged abstract, which would involve some repetitions. The system is the same. There seems to have been some improvement in the administration, and also in the mode of reporting thereupon, and that last improvement is one that we would especially notice, because we believe that what is wanted in Pennsylvania, in the first place, is a thorough, correct statement of all the facts relative to the discipline, cost and direction of every

prison in the State. Let that be once fairly commenced, and we shall be on the high road of improvement.

The Reports from Great Britain are in two volumes. The first includes the southern counties of England and those of the principality of Wales. The second volume contains reports of the prisons of the northern counties of England and those of Scotland. In some of the southern counties there are six, seven, and even eight prisons. Kent county has eight prisons, Middlesex (London) has six, while other counties which contain a part of London have eight more.

We notice in these reports, that cells to be used for any purpose are examined by some admitted authority, who certifies that they are suitable for "separate confinement," before they can be thus employed. This denotes a care for the health and safety of the prisoners, and a wish to have all things lead to the great end of imprisonment.

We do not infer from the Report that the possession or usage of cells certified for separate confinement ensured the prisoner's continued separation from his fellow sufferers, as we note in the returns, reference to labor that would require associated effort, especially that of breaking stone in the yard of the prison. This work is probably for the repairing of the macadamised roads. Yet in some of the prisons, where nothing is paid for the labor, the surveyor of the roads complains of the cost of carting the stone to and fro. We notice also that the prisoners in some of these jails take their meals in association, in a day-room, instead of receiving them sepa-

rately in their cells. The idea of the value of separate confinement seems to prevail, but it is difficult to conquer old habits, so as to have the plan completely carried out.

The diet for prisoners differs in different parts of the kingdom. We notice that in Carmathenshire (Wales) the following is the dietary for the fifth (the hardest working) class for one week : 12½ pounds of bread, 6 ounces of cheese, 2 pounds of potatoes, 4 pints of soup, and 17 pints of gruel.

The cost of feeding each prisoner is about two shillings (50 cents) a week.

A much more liberal dietary is established in Buckinghamshire. The fourth class receives weekly 168 ounces of bread, 12 ounces of meal, 32 ounces of potatoes, 3 pints of soup, and 14 pints of gruel.

In most of the prisons extra diet is allowed when ordered by the surgeons.

We find in the list of offences requiring imprisonment in England, two which are not mentioned in the list of causes of imprisonment in Pennsylvania, viz.: debt, and rick-burning. Both offences are perhaps committed here as well as there. But it is mentioned that in Wales rick-burning was practised by a miserable few, in order to secure to themselves the advantage of penal confinement. It is a crime easily committed, and involving less immediate personal danger in the act than most other offences that lead to imprisonment.

In most of the county and borough prisons the hours of labor daily, are eight or nine, and about two for exercise. The women do the washing and mending, and

making clothes, and picking oakum. The males are employed in weaving shirting and sheeting, tailoring, shoemaking, &c., and in carpentering, bricklaying, painting, &c., for the prison building. We do not notice that any prisoner, however steadily he may work, obtains pay for overwork.

The profits of all prisoners' work seem to be put into the treasury of the prison, towards the expenses of maintenance. The treadmill, we notice, is in constant use in some of the prisons, and in some prisons, where there is no treadmill, prisoners are employed in turning an immense capstan, which, however, is not connected with any useful machinery, so that just so much power is wasted.

The health of the prisoners seems to be well cared for. Physicians visit most of the jails daily, and oftener if circumstances render greater frequency necessary.

Every prison seems to be provided with a chaplain of the Established Church, and there seems to be a regular service of that Church. In one of the London prisons the Chaplain gives two full services on Sunday, with sermons. He reads prayers daily, and addresses the prisoners every Wednesday; sees every prisoner both on admission and discharge; visits the sick daily, makes cellular visitations in rotation, and inspects the school. The schoolmaster acts as chapel clerk, has charge of the library, distributes the books, and is engaged four hours daily in instructing the prisoners. A female warden acts as schoolmistress, and devotes the afternoon to scholastic duties. The prison is well supplied

with books. Deserving prisoners are usually assisted by means of the Sheriffs' and Magistrates' Fund, and 689 males and 261 females received assistance from that Fund in the last year; and it is added that many of the prisoners who have been assisted in this manner are known by the authorities of the prison to be now earning an honest livelihood.

With regard to religious services, it is said that Dissenters and Catholics have every facility given to them for seeing their own minister.

In the reports of most of the English prisons, it is said the Catholics and Protestant Dissenters can have clergymen of their own denomination when they choose to send for them. This may be tolerance, and we suppose it is, but tolerance is not exactly what is needed in these cases. The experience of visitors to prisons is, that the prisoners do not often call for a clergyman of their own or of any other denomination, until they have, by the interference of kind visitors, been made to understand the necessity of some religious ministrations. This is evidently understood by the Government of Great Britain when it assigns clergymen to the prisons, and pays them for teaching and praying and preaching. It would seem that, in a matter of such importance, the direct monitory instruction and exhortations of a clergyman of his own creed might be due to the condition of the prisoner. We notice that in the Surrey (London) Prison, while the Protestant prisoners are supplied by Government each with a copy of the Holy Scriptures ordinarily used by the Established Church and Protestants generally, (King James' translation,) the same

authority supplies each Catholic prisoner with a copy of the Douay Bible, the Catholic translation into English.

We notice that all the cells, excepting those for punishment, are lighted. That would be almost necessary for six months of the year, because in London light at midday could scarcely struggle into the prison from October to March.

Great benefit has resulted to prisoners leaving the Surrey Jail, from the efforts of the Surrey Society for Employment and Reformation of Discharged Prisoners.

In this prison, it is said, ample provision is made for the religious instruction of prisoners of every denomination.

We notice in some of the reports that mention is made of the religious and moral benefits resulting from the exertions of prison societies.

The preceding portion of the abstract of the British Reports has reference to the prisons of the South District. On examining the volume containing the report for the Northern District, we find little to note beyond what we have already said; acting under one law, the whole returns seem to be much alike, and we can discover differences only as they result from different circumstances of the locality, and the yet lingering habits of thought and action of other times, which cannot fail to affect, in a considerable degree, the administration of prison affairs even though governed by the same code of laws.

Lancashire may be regarded as a county much in-

fluenced, in its social condition, by circumstances that do not act upon many other shires in the northern division of the kingdom.

Liverpool is the second commercial capital of the kingdom, and is crowded by people from all parts of the commercial world; people without permanent residence, whose influence must be felt in the habits and morals of the people. Almost all who come from Ireland land in Liverpool, and the attraction of strangers and the vices of a great city keep there thousands of females, who might be usefully employed elsewhere. Liverpool perhaps affords the smallest proportionate amount of female labor of any city in the kingdom, and, unfortunately, food and clothing are as necessary to the unemployed as to the actively industrious. Hence we find in the statistics of the Liverpool Borough Jail the record of an appalling number of degraded females, —no less than *one thousand five hundred and twenty-six in nine months!* The report says that some of these “miserable offenders” have been committed thirty, forty, fifty, and even sixty times, though not more than twenty-six or twenty-seven years old.

The Lancaster Borough Jail has 1,001 cells certified for separate confinement, with 28 cells in the hospital, 4 in the convalescent rooms, 30 punishment cells, and 9 yards for exercise. There are also 27 sleeping cells for *debtors*, 3 day-rooms, and 4 yards for exercise.

The dietary seems to be pretty good. For the fifth class of prisoners the weekly allowance is 291 ounces of solid food, and 17 pints of liquid food for the males, and 203 ounces of solid and 17 pints of liquid food for

the females. The average weekly cost of food for each class is 25*s.* 0*d.* per head. Extra diet is served by order of the surgeons.

Successful efforts are here made to provide for those who are leaving prison; and the number of discharged females sent to institutions suitable to their character and connections is very great, and constantly increasing.

An act of Parliament, called the "Reformatory Act," has a very important bearing on juvenile offenders, requiring of magistrates a second inquiry into their circumstances, and permitting the authorities to send those, who may be worthy, to a Reformatory, after due investigation. In the year 1855 there were 990 juveniles committed to the borough jail of Lancaster,—of these twenty-seven were remanded for "further inquiry," and nineteen were sent to the Reformatory. In 1864 there were 633 juveniles (of both sexes) committed, of whom 547 were remanded for inquiry, and 132 sent to the Reformatory after such inquiry. This shows a most important and healthful operation of the Reformatory law. At a recent "Annual Jail Sessions," the Prison Minister's Bill was brought into full operation, and its effects are highly lauded. It seems to allow to the prison two daily religious services,—one for the Episcopalian (English Church), the other for the Catholic. The Episcopalian clergyman speaks highly of the operation of the arrangement, as it regards his special duties; and the Catholic clergyman employed says: "The system adopted here, in conformity with the "Prison Minister's" act, has worked admirably, and given general satisfaction. For this I have to express my gratitude to the

governor and chaplain, who have arranged the details to carry out the spirit of the act, and who have, in their daily intercourse, shown towards me the greatest kindness and courtesy. I feel deeply interested in the work in which I am engaged, and, so far, the results of my labors have afforded me much consolation."

Surely there is a good spirit at work in the Lancaster borough jail. The Christian emulation, on the part of the two chaplains, as to who shall do the most good is not found more in the labors of each for the prisoners of his special denomination than in the courtesy with which the one yields space for labors of the other, and the Christian spirit in which the courtesy is received and acknowledged. This seems to illustrate the riddle of the Israelitish champion, "Out of the eater came forth meat, and out of the strong came forth sweetness."

The surgeon, who attends the men daily, and is assisted by a resident surgeon, states that the health of the prisoners is remarkably good, and this is imputed to the strict attention which is paid to cleanliness and ventilation in every part of the building, and the use of disinfecting agents and apparatus.

The officers of this prison (where the average number of prisoners is about 1000,) are governor, chaplain, Roman Catholic priest, surgeon and assistant surgeon, three school-masters, three school-mistresses, matron, three clerks, three upper wardens, thirty-four male and seventeen female wardens—total, sixty-nine.

In other prisons in Lancashire, we do not find the same consideration for a religious conscience that is manifested in the Lancaster borough jail, and this may be

said of more of the other prisons in the neighboring districts.

We notice that in all the prisons of Great Britain the sentence of "hard labor" is construed to mean real hard work, such as the tread-mill, the windlass, &c., &c.

At Hull, Yorkshire, there exists a society to aid discharged prisoners, and 114 men and 55 women were, in 1864, assisted at a cost of about \$110. The whole number relieved since 1857, is 601 men and 358 women, at a cost of about \$840—sometimes in money, sometimes in clothing. Small as the relief is, it is received with gratitude, and in many instances it accomplishes the desired effect.

The religious (Episcopal) services in the York Castle county prison are daily and extensive.

In the Wakefield (Yorkshire) prison, we notice that there are two chapels provided, one for Protestants, the other for Catholics.

The inspectors recommend additional cells, in order that "separate confinement" may be complete.

---

## SCOTLAND.

In Scotland there are thirty-one counties and forty-seven prisons.

The prisons in Aberdeen consist of two buildings, about a mile apart. The cells are about eight by six, and nine feet high; they contain three beds each.

In this town there exists an association called the "Ladies' Prison Association," with the object of reforming female prisoners, and the chaplain states that the results of this organization have been, in many respects, highly satisfactory. There is, also, a House for Fallen Females, supported by voluntary contribution; it has now twelve inmates. This is daily visited by one of a committee of ladies.

The prison in Ayrshire is visited by the members of the County Prison Board, and once every month by one of the prison managers of Scotland.

In Rothsay (Buteshire) prison, we notice that the cells are certified as separate; but, it is stated, that there are eight females and one child in five cells, and nine males in six cells. In most of these prisons, "*separate cells*" means only separate lodgings. The cells are very small.

The county prison in Edinburgh received, last year, 5,526 prisoners, with the following remarkable distinction of sex:—2,446 males and 3,058 females. We do not know the causes for this excess of females. The religious instruction is constant and regular, but almost entirely by the Presbyterian clergy, though clergy of other denominations may visit when required.

In regard to frequent commitments, we notice a statement that in Paisley (Renfrewshire) some of the prisoners have been committed seventy-five times.

One family, in the same place, seems entitled to special distinction.

The Father has been 3 times in prison.

" Mother " 5 " "

A third brother 4 " " besides 3 times in  
a Reformatory School.

A sister has been once in prison, and 5 times in a Reformatory School.

Different members of the mother's family, 10 times in prison, with 13 years at Reformatory Schools.

The prison in Zetlandshire had, when visited, one inmate, a civil prisoner, committed for not maintaining his illegitimate child. It is added, however, that it contains six cells for criminals, males and females, indiscriminately. That in 1863 there were more than twice as many prisoners as there were cells.

We do not enter more particularly into the accounts of the British prisons, because there is nothing, beyond what we have stated, which is particularly instructive, excepting the steadiness with which the rules are enforced.

The employment of prisoners is usually upon work that is required in the prison, or is demanded outside, such as picking oakum and hair, and wool, stone-breaking, cooking, mending, sewing, and washing. In one or two reports, it is mentioned that seventeen men and twenty women were employed in *teasing*, but it is not stated who or what was *teased*; perhaps a rope, which would be "picking oakum." In one list of employments —where, it is said, the sexes are not separated during the day—it is mentioned that some of both sexes are occupied in *match-making*; whether they are making loco-foco matches, or whether it is a typographical error, and mat-making is meant, it is not easy to decide.

## IRELAND.

The Report of the Inspectors General of Ireland, on the prisons, discipline, and the state of the jails in Ireland for the year 1864, is a large octavo volume, of nearly 500 pages. It is a document doing credit to the Government to whom it is addressed, justice to the prison officers whose conduct it notices, and honor to the labour,—assiduous and independent,—of those upon whose inspection it is founded.

From 1851—when the moral effects of the famines had nearly subsided—to the year 1862, there was “marked diminution of offences against law in Ireland;” and the statistics of the prisons of the whole of that kingdom show an annual diminution of commitments. For example: in January 1851, the whole number of persons in jail throughout the kingdom was 10,084. In January 1861, the whole number was 2,488. The diminution was gradual, and nearly the same difference was noticeable in all the months of the year, between 1851 and 1861 inclusive. In 1862 and '63 the number of commitments increased, and naturally caused alarm. Yet, in 1864, the tables show an improved condition. The commitments of all kinds, for that year, were much diminished in number—to the amount of six per cent. in persons above sixteen years of age, and seventeen per cent. in those below. This great diminution of juvenile offenders is a source of felicitation; but the augmentation of the number of re-commitments of

females, seems to startle the Inspectors : it is nine per cent.; whereas the re-commitments of males is only at the rate of four per cent. It seems to us that the statement which alarms the Inspectors is rather calculated to afford consolation than fear. There is a diminution of juvenile offenders : of course, then, the fountain of prison supply is just so far dried up. There is a large diminution of the number of adults committed ; but in the commitments there is an increase of nine per cent. in those of females. Not in the number of persons, but in the number of times that each person is committed. These miserable, degraded creatures are of a class from which few are gathered for reformation—drunken prostitutes—and that in a country where employment is scarce and poorly compensated. Surely, on the whole, that fact may be regarded as favorable. In this country, the commitments of females constantly increases, while female labor is in demand at the highest price ever paid for it. It should be added, in support of the favorable view taken, that the number of commitments, low as it is, was greatly increased by the untoward event of a mob in Belfast, which added fifty per cent. to the number of prisoners in Antrim jail.

The terrible vice of DRUNKENNESS is greatly on the increase in Ireland, and hence we may infer that the diminution of commitments for crimes which now affords hope, will soon cease, because drunkenness will soon lead to crime. The Report says that the number of commitments for drunkenness, in the year 1864, over those in 1863, is 3,053. This is in *excess*—an increase of seventeen per cent. ; and this does not include the vast number who

paid a small fine in order to escape imprisonment. Nor does it refer to the class of offences—riots, assaults and personal violence—immediately consequent on drunkenness.

The whole number of drunkards committed in 1863, was : males, 3,350; females, 4,150; making 7,500. In 1864, the number committed was : of males, 4,168; females, 4,429; making a total of 8,597. It will be noticed here, that of this vast number, the largest is of females. Strange as this may appear in this country, it seems to excite no remark there. Perhaps the drunkenness of the men placed them in the category of criminals, by personal violence; and it is probable that a much larger number of men was enabled to pay their fine, and thus escape imprisonment. The increase in commitments for drunkenness is noticeable as far back as the tables extend.

The whole number of commitments, of all kinds, in Ireland, in the year 1854, was 60,445. In 1864 the number was 32,876. In 1864, the number of persons committed for the first time, under sixteen years of age, was : males, 769; females, 142; total, 911. Of these juveniles, the following statement is made : 76 boys and 12 girls had been committed twice, in that or some previous year; 22 boys and 5 girls, three times; 8 boys, four times; 1 boy, five times. And 16,017 persons over sixteen years of age, viz : 11,311 males, for 4,706 females, were committed for the first time; 1,855 males, 1,197 females, for the second time; 783 males, and 635 females, for the third time; 408 males, and 361 females, for the fourth time; 275 males, and 239 females, for the fifth time;

180 males, and 201 females, for the sixth time; 409 males, and 501 females, from seven to eleven times; 113 males, and 235 females, from twelve to twenty times; and 61 males, and 373 females, twenty times and upwards.

It will be seen, that, while at the beginning of the bad way, the number of males committed is vastly greater than that of females, at the close the number of female commitments becomes five times greater than that of males. The utter degradation of a female who has sacrificed purity and decency, forbids much hope of amendment, and we therefore find them regular visitors to the prison. It is added, in some of these reports, that some have a record of more than one hundred commitments.

Among those who have been made to suffer most for their violation of the statutes, were 5 males and 2 females sentenced to death, 3 to penal servitude for life, 2 for more than fifteen years, and so on increasing to 102 to three years servitude. Only two (males) of those sentenced to death were executed. We notice that in all the tables of the time of imprisonment, females are mentioned as of the greatest number. With this class of prisoners, drunkenness is the cause. Between the ages of 21 and 31 years the female prisoners of all kinds are nearly equal to the males.

The table of religious professions shows the number of prisoners of each denomination to be about in proportion to the number in the country.

Of the females committed throughout the nation, 50 per cent. were found wholly illiterate; the males 35 per cent.

Beside the Catholic, Episcopalian and Presbyterian prisoners, who constitute the great mass of those committed, there were 3 males Methodists, 2 males and 1 female Quakers, 1 male Covenanter, 1 male Independent, and 1 male Baptist.

Juveniles—that is, persons under 16 years of age—are specially noticed. In 1864 there were 945 males and 173 females, not exceeding 16 years of age, committed. In 1863 the number was 1,074 males and 257 females—a diminution of 12 per cent. of males, and 33 per cent. of females.

In 1864, 186 prisoners (148 males and 38 females) were transferred to Reformatories. Some of these were rejected for some informalities, and some are still in training.

We find that of the juveniles under 10 years of age, 32 had both parents living, 3 boys both parents dead, 16 fathers dead, 2 mothers dead. Of those between 10 and 16, 542 had both parents living, 145 both dead; 220 fathers dead, 128 mothers dead.

We have thus far made our extracts, or rather our abstracts, from the General Statement of Prison Offences in Ireland. The “Appendix,” as it is called, contains particular returns from every prison, Bridewell, jail and lockup in Ireland, and the examinations from which the statements are made, appear to have been pursued upon a fixed plan, by a man competent to the duty, who understood what was wanted for prison discipline, and who had independence enough to note and censure all deficiencies and excesses, and to comprehend and applaud all successful efforts on the part of the managers of the

particular prisons to make these institutions reformatory as well as penal places.

It would seem that they retain the name of *Bridewell* for some of the prisons in Ireland, and that some of the objectionable features of the old Bridewell of London distinguish these places of punishment. We do not know exactly what are the characteristics of these, but the Report repeats a wish previously expressed, that they may be dispensed with.

In the list of officers, which are called "*extern*"—that is, not residing in the prison—we find the Local Inspector, who visits the place almost every day; a teacher, who usually attends daily, and three chaplains, viz.: one of the Established Church, (Episcopal,) one Protestant (Presbyterian,) and one Roman Catholic. The latter, in some of the counties, has an assistant that attends nearly every day in most of the prisons, and in some they are in daily attendance. The number of visits of every *extern* officer is mentioned in the Report. The salaries of the chaplains vary from \$150 to \$300 a year.

The Report contains a tabular statement of the exact condition of the prison, the number, and character, and age, and offence of the inmates, from what county they came, character of the commitment, results of examination of all the books, repairs of the building, security and accommodation, the exact number and condition of the beds, bedsteads, and articles of bedding, and all the articles of the place; the supply and quality of water, the sewerage, cleanliness, dryness, and ventilation; cost of dietary per head; salaries of internal officers, and what

the keeper does (if anything) besides the duties of his office, with general and particular remarks.

The food, in quality and amount, differs in different parts of the island. We notice that in the County of Antrim Jail the supply of *stirabout*, (mush,) buttermilk, and bread, is ample, and the Report mentions that the quality was excellent, though "the gruel was thin." We see no mention made of meat at any of the meals in the prison. .

This dietary, with slight modification, seems to prevail, and we do not notice any meat in the list, yet in the statement of *contracts* we notice that 4*4d.* per pound is paid for meat. This may be for the officers and employees of the prison. Every article of the dietary is reported on.

The officers of the prison, whether extern or intern, are held to an exact account; and we notice that one chaplain is bitterly censured for absence from duty *one day*, and special notice and commonition are made of a surgeon whose whole number of visits did not come quite up to the requirement, though it is not stated that there was any call for his services. With regard to salaries, we notice that the Grand Jury presented some of these as excessive, and in the county thus particularly noticed we find that the Governor gets \$1,250, and the Head Warden \$400. The other men get from \$200 to \$250. The Matron gets \$250, and the female Nurse \$120. These do not seem high salaries, but they were cut down.

We notice that in most of the prisons there are provisions made for secular instruction, though occasionally

the report laments that some deficiency exists. Of several prisons, it is said that no provision is made for the secular instruction of the female prisoners.

It is also stated that one of the keepers, who is capable, instructs the females of one prison, but always in the presence of a matron.

There are punishments for prisoners who violate the rules of the place; these consist of dark cells, occasional withholding of food, and, in one or two instances, of sound floggings.

At every meeting of the Board of Visitors, or Superintendents, the punishment book is submitted to the Board.

The supply of water in the Donegal and Banerance, Bridewell, is obtained alone from the roof; the pump out of order, and the water of the well bad. In such a case it may be considered a benefit to live in a country in which—as it is Ireland—rain is rather the rule than the exception.

Among the crimes for which there are many convictions, was that of sending threatening letters. This act usually earned a sentence of twelve months' hard labor, and hard labor, in the Irish prisons, means *hard labor*—the tread-mill, the crank, and stone-breaking.

The report on the prisons of Cavan county, expresses the conviction that long sentences, in *associate* system, produce rather evil than good. The prisoners become bold and more criminal.

DEBT, in Ireland, seems yet to be treated as a crime, and, in the list of offences, for which incarceration has

been adjudged, we find, in almost every prison, a goodly number under the head of *Debt*.

**INSANITY.**—Great attention is paid to the situation of lunatics confined in the various prisons. Twenty years since, an Act of Parliament took from the Inspectors of Public Prisons the care of the lunatics, and conferred it on a Board of Inspectors of Lunatic Asylums, and this had a tendency greatly to ameliorate the condition of the insane. Large buildings have been erected in various parts of the kingdom for the insane, and in these retreats the inmates “are supplied with nutritious diet, of which animal food, tea, coffee, beer and porter form a part, and are placed under the care of skilful attendants, who have been duly trained to deal with the disease. Even persons who have committed murder, and other great crimes, but who have been pronounced insane by the verdict of a jury, and considered criminal, who after sentence have showed symptoms of insanity, receive a similarly humane treatment.

The above applies to “criminal lunatics,” who seem to be favored above their brothers in misfortune. Those that are arrested upon suspicion that they are becoming deranged, and might do something which would be indictable, are still crowded into the county prisons, and while there undergo sufferings which are unknown to the criminal insane, and are denied that kind of treatment which at this time is universally admitted to be indispensable for the proper management and care of that form of disease.

The account which the Report gives of the treatment

of this unfortunate class of prisoners is most painful. 'In some prisons they are confined in cells strictly adapted to individual separation ; in others they occupy gloomy, unheated and flagged cells, and day-rooms of old jails, from which the criminal prisoners have been removed to properly heated and more suitable new buildings. Often their food is found inadequate and of an improper kind. Altogether this class suffer terribly, and just in proportion as the prisons are adapted to the proper uses of criminals, are they rendered unfit for these insane. This class of prisoners is constantly increasing. In 1860 there were committed to the various prisons in Ireland, 644 of that description of prisoners; in 1864 1,076 were committed.

We cannot give more space to the admirable report of the condition of the prisons in Ireland. It is one of the best, most comprehensive reports we have ever read, and could the prisons of Ireland be at once so changed as to adapt them to the system of separate confinement, they would present, in our opinion, the best *system* in the world. As it is, much is done every year to improve the prisons and the prisoners, and the system of Local Inspectors and Inspectors General gives to the whole such continued connection in the administration as will secure in time, to all, the best improvement of each. The Report of 1865, for the year 1864, is by far the best we have ever read.

One thing we may here remark, that very much of the contents of these Reports, though interesting and instructive to all, are upon subjects that belong more directly to the Board of Prison Inspectors than to the

Society for Alleviating the Condition of Public Prisons, and we cannot doubt that they would suggest to the Directors of our penal houses many improvements. Especially do we wish that the Legislature of our State would place in the Legislative Library a copy of all the prison reports that are made in this country and in Europe; and in order that, such a good work being accomplished, it might prove of public benefit, we most heartily wish that the members of the Legislature would carefully read the Reports, and then inquire how much good they have left undone by neglecting to provide some general system of prison inspection for the State.

---

## MAINE.

The Report relative to the State Prison of the State of Maine is a clear narration of its movements, and apparently a fair statement of affairs. A considerable portion of the Warden's Report is occupied with details of the cost and kind of labors, and with general statements, the particulars of which are supplied by the special reports of other officers.

With regard to the numbers, it is stated that there were only 78 convicts at the close of the year 1864, the smallest number since 1854. The cause, which is not stated by the Warden, is evidently the demand for men in the army, or the call for and reward of a certain kind of talent to impose upon soldiers and the Government. No doubt 1866 will fill the cells of the Maine State Prison.

The health of the prisoners has been good, and their conduct most praiseworthy.

Religious services were held by the regular Chaplain and the clergymen of Thomastown, where the prison is, "excepting," says the Report, "that for three Sabbaths the Society of Friends officiated, much to the gratification and, I think, profit of all present."

There is a library, and the cells of the prisoners are furnished with books and writing materials, and lamps, so that they may pass the long evenings in reading, writing, or study, as they choose.

The earnings of the year 1864, were \$20,317.20, and the expenditures \$18,059.56, leaving a balance in favor of the prison of \$2,258.14. Of course the profits or the loss of the prison will vary with the number of laborers or prisoners.

The Warden earnestly recommends some expenditure to make the outside of the prison a little less offensive to taste.

Of 1,556 convicts sent to that prison since 1824, 1,047 have served out their terms, 255 have been pardoned, 50 died, and 15 escaped and were not retaken.

Among the 78 prisoners are 13 sentenced to be hanged.

It may be noticed that some of the convicts of this prison work in the lime quarries. The rules of the prison are very stringent. Of two deaths which occurred in the course of the year, one was from consumption, the other from Bright's disease.

The Chaplain's Report contains complaints, first of the compensation, three dollars per week; secondly, of

the chapel, up three pairs of stairs, the highest not much better than a common ladder, and the room being immediately under the roof, is excessively hot in the summer.

The Chaplain is cordially received by the prisoners, and seems to have produced good effects.

The reports of all the officers concur in recommending more discrimination in the sentences. Some are for quite too short, and others far quite too long a time—both work evil.

We copy the following, as affording an important hint:—

#### STATE OF MAINE.

##### *An Act Relating to the Discipline of the State Prison,*

SECTION 1. The Warden of the State Prison shall keep a record of the conduct of each convict, and for every month that such convict shall appear by such record to have faithfully observed all the rules and requirements of the prison, and shall not have been subjected to punishment, the Warden shall recommend to the executive a deduction from the term of such convict's sentence according to the following rule and proportion: for a convict under sentence for a term of less than three years, one day for each month of good conduct during said term; for a convict whose sentence is for a term of three years or more, and less than five years, two days for each month of good conduct during said term; for a convict whose sentence is a term of five years or more, and less than ten years, three days for each month of good conduct during said term; and for all other convicts except those sentenced to perpetual imprisonment, five days for each month of good conduct during said term.

SECTION 2- The record aforesaid, with the scale of deductions provided in the foregoing section, shall be submitted once in three months by the Warden to the Governor and Council.

[Approved March 10, 1864.]

It will be noticed that the good conduct of the prisoner entitles him to *executive* clemency, but does not give the Warden and Inspectors the power of releasing him.

This is the only report that we have from Maine. It does not appear that there is any condensed report of all the prisons in the State.

---

## MASSACHUSETTS.

We have from Massachusetts a goodly-sized octavo, containing the "Annual Report of the Board of State Charities for 1865. In our former reports we made extensive extracts from the statement relative to the public institutions of punishment and charity in Massachusetts. We have no space this year to do more than to mention that all these institutions are placed under the supervision of a "Board of State Charities," whose business it is to look to the administration of each, and harmonize their operations—so that, from the highest to the lowest, there may be a correspondence of action. We do not know that this system has been tried long enough to ensure a permanent approval and establishment, but the Report shows a careful, close watchfulness, and a free censure of what is wrong or unfair, (and in such matters deficiency is a wrong,) and it refers with directness to all the movements in each institution.

The Almshouses are as closely examined and as fully criticised as are the jails, and the asylums, penal and

orphan schools, the insane and the vagrant, are all considered, and their condition well set forth, with censure of the errors in regard to some, and applause of measures and administration which secure new comforts to the sufferer, better views to the erring, and high hopes to the miserable.

Massachusetts has always had advantages over the Middle and Southern States in her municipal divisions, and in the comparative density of her population, and also in the early establishment and constant improvement of her public schools. It has not been found difficult to legislate for the whole; and what is referred to towns (townships) by the Legislature, found corporate bodies and associate efforts ready and able to do for themselves what was not done by State or county responsibility. These county poor-houses would be cheaper, but town provisions more humane and less degrading, in the opinion of both the recipient and the imparter; and the chief points to be noticed in the Massachusetts Report is the complete union of all the institutions of punishment and charity under one supervision. The Report is admirable.



## CONNECTICUT.

The Connecticut Report has reference only to the "State Penitentiary." It is sufficiently full to satisfy the Government and the people of the use and application of the public funds in the direction of that institution,

and also of the discipline of the place. It has, however, less interest in the eyes of the philanthropist than in those of the political economist. One part of the Report is worthy of notice, and that is a statement of the fact that the government of the prison has been much easier and more beneficial since the passage of a law "permitting the good conduct of the convict to be reckoned in his favor, in a consideration of shortening his time of imprisonment."

It would be an additional gratification to know the exact manner in which the new stimulus to good conduct operates on the prisoners, and undoubtedly all who feel an interest in prison discipline will anxiously look for the results of this step in the right direction.

It is a question of much importance, in considering the most effective kind of prison discipline, whether hopes of good will not, in the long run, (if that good is made certain, as the fulfilment of its conditions,) be more beneficial than fears of evil; and on this subject we may add, that when the time of probation is long, and when each month's improvement is counted in excess to the former month, a sort of compound ratio, in reducing the time of punishment, it seems natural—and in Connecticut the experience of the Penitentiary shows it to be just—to conclude that the plan must be beneficial. We may add one more consideration beyond the mere abstinence from wrong doing, and the advancement in well doing, to which the proposed reward relates: the very abstinence from wrong and the advancement to right will create a habit of correctness of moral rectitude which will increase with every month's practice, and which must

count much in the elements of that success which the convict is to achieve when he ceases to be a prisoner.

Such a law as now exists in Connecticut was passed by the Legislature of this State, with a view to practical operation at the Eastern Penitentiary and the County Prison, but the Inspectors of the former institution took exceptions to the principal provisions of the act, as unconstitutional; and in a case presented to the Supreme Court, a decision was had which has suspended further action under the law.

By an Act of Assembly of the State of Pennsylvania, the Inspectors of the County Prison have power to remit the costs of Court, the payment of which is a part of the sentence of the convict. When the prisoner, as it is in most instances the case, is unable to pay them, and as without this remittance the imprisonment would be extended at least one month beyond the time mentioned, and as this is dependent upon persistive good conduct, it operates in the same way, if not to the same extent, as the act which failed, and the operation is deemed advantageous.

---

## NEW•YORK.

We have received an octavo volume of 365 pages, containing the Twentieth Annual Report of the Executive Committee of the Prison Association of New York, transmitted to the Legislature of the State, February 2, 1865.

The volume commences with a list of officers and

members; then follows the report of the action proper of the Society. These occupy about 24 pages. To this succeeds an *Appendix* of about 358 pages. The volume seems to be an Appendix, with a book for a Preface; but however the Committee may have arranged the contents of the volume, they have not failed to give to these contents great interest, even to an ordinary reader. But to one who is seeking information, and searching for facts upon which to found "social science," the Report is of inestimable value.

It will be understood that the Report of the New York Society is really a report not to the Society itself, or the world directly, but to the Legislature of the State, having succeeded in making its importance understood by the Government of the State, and thus securing to itself a means and power of usefulness which "The Philadelphia Society for Alleviating the Miseries of Public Prisons" has not been able to exercise. Perhaps because it is only lately that it has attempted to make itself felt in the administration of the penal institution, beyond the prison and penitentiary in the city of Philadelphia, excepting by its essays, its advice, and the exhibition of its labors at home. The Prison Society of New York City seems to be an element of State Government. Its reports appear as a "Public Document," printed by the Printer of the Legislature.

We learn from the Report that the Executive Committee of the Society did, in the course of the year, visit every jail and penitentiary in the State of New York, and detailed accounts of the investigation appear at full length in the Appendix. The investigations en-

able the Committee to respond to the following queries with regard to each prison, viz.: The character of the Building; Its Security; Employment of the Prisoners; Means of Intellectual Culture; Means of Religious Culture; Prison Dietary; Sanitary Condition; Cleanliness; Lighting; Heating; Discipline; Sudden Illness at Night; Separation of the Sexes; Classification.

The investigation seems to have been made with great fidelity, and the results thereof must be interesting and instructive to the Legislature of the State, to whom the report is made.

Albany, the political capital of the State, and the centre of a large and rich county, seems to be almost as poorly provided with prison proprieties as any county. No employment for prisoners, no means of intellectual culture, only mutilated copies of the Bible in the Albany Prison, and none in the jails of Troy and Cohoes, same county.

In several of the counties we notice the voluntary services of a clergyman of the town, but we seldom find stated regular official service. The county newspapers seem to supply a large portion of the reading for the prisoners.

We notice that the prison of Queens county, Long Island, is one that entitles itself to special remark. The cells have no ventilation; water for drinking and washing is carried into the prison in buckets daily; soap is provided, but no towels, and night-tubs are used; vermin abundant, and rats very defiant. The two sexes can see and converse with each other. There is no classification practiced; whites and blacks, tried and

untried ; young and old are indiscriminately thrown together ; little security ; and it is worthy of note that the County Clerks are in Jamaica, the County Matron at Hempstead, and the jail in no place in particular ; it is situated three miles from any town or village.

The Report thus speaks of the jail at Ballston, in the rich and fashionable county of Saratoga :

" For insecurity of arrangement, for deficiency of sanitary care, for foulness of internal atmosphere, for neglect of moral supervision, for broken walls and ceilings, for insufficiency of water supply, for expensiveness of warming, for facilities and frequency of escape, facility of communication with the outside, for defect of classification, for neglect of county officials, and a positive disbelief on the part of the jailor in the value or utility of any attempts at reformation of those submitted to their custody, the jail probably surpasses any in the State."

Severe as is the above general condemnation, it seems to be fully sustained by the particulars furnished. And after giving statements of the miserable state of morals in the place, the Report adds : " Vicious as the moral government of the jail is thus seen to be, its material arrangement and condition are no better."

The Report shows that the county prisons of the State of New York are generally very deficient in what would make them *safe* penal establishments, and eminently wanting in all that would enable them to become reformatory.

In speaking of "classification" in West Chester county, adjoining New York city, the Report says : " No classification whatever is maintained. There can be little improvement in our common jails until the prisoners are ENTIRELY ISOLATED, AND RIGIDLY KEPT IN SEPARATE CELLS."

It was our intention to make liberal extracts from the statement relative to the different county prisons of New York, but we lack space; and perhaps we might say that, having forborne to publish at large the report of two gentlemen appointed by our own society to investigate the affairs of all the prisons and almshouses in this State, we could scarcely be expected to give the result of inquiries in another State.

The New York Report seems to us to be one of the best most complete of any that we have seen in this country, while it partakes largely of the minuteness and sufficiency of those French and Irish Reports to which we have given so much space in this number of our journal.

On the subject of Diet we felt some interest, as we know that the State of New York, like our own, is blest with what would be an abundance for all, if it could be shared by all.

We do not, we confess, like the two meals a day that make up the dietary of many of the New York prisons, but it would appear that there is a generous supply of food in some of the prisons. Take, for instance, Rockland county: for breakfast, potatoes, salt beef, rye coffee, and rye bread; dinner, salt pork, potatoes, and rye bread; supper, mush and molasses and bread, and the prisoners are allowed to have as much as they want. In some of the counties the fare is better, with a greater variety. In the Lewis County Prison the dietary is three meals a day, good fare—meat, vegetables, bread, *butter*, and no drink but water. We notice that in several of the prisons “bread and *butter*” are mentioned.

Butter, at the price it has recently brought in the city markets, must be a costly condiment in prison. Something, perhaps, depends upon the quality of the article. Those who have visited the interior of New York or of our own State, have learned that the best quality of butter is not always consumed in the county in which it is made.

Perhaps it may be added that every county does not produce the best quality of butter; and it is scarcely probable that, with butter at seventy-five cents a pound, the county prison would be a successful competitor with hotels and rich families for the acquisition of the best quality of that article.

Experience in prisons, as mere public institutions, where large numbers of persons are to be fed, shows that plain food is better than that which is richer. A variety in the simple quality, and regularity in serving it, are plans which yield the greatest advantages for an established dietary.

The Report of the Agent for the New York Society is exceedingly interesting and instructive, partaking, of course, of the general characteristics of the statement of Mr. MULLEN, the Agent of this society.

We are struck with the facts set forth in an abstract of the report upon the jails, viz: "On the whole, the Committee have to report—*no employment for prisoners in any jail in the State.*"

To us it seems that the State of New York, like the State of Pennsylvania, has been giving an undue propor-

tion of its legislative care to the penitentiaries to the neglect of the jails.

Rum, parental neglect, over-crowded population of the jails themselves, are set down as fruitful sources of the crimes that crowd the prisons and disgrace society. The New York Society does not make it a part of their rules to recommend the separate confinement of prisoners. But their Committees give the result of their observations with freedom and candor, and these all seem to tend to that conclusion. They are evidently seeking without any fear, lest they should find. They ask: "What is truth?" and await the momentous answer.

---

## VIRGINIA.

In the summer of 1865, our fellow-member, JEREMIAH WILLETTs, went into the State of Virginia, and found an opportunity to visit the prisons in Richmond and its vicinity. This was to him only a continuance of a good work, as he had, the previous year, been one of the Committee of this Society to visit and report upon the county prisons and almshouses in this State. The work which he assumed received the approval of the Governor of the State of Virginia, and, at the request of that functionary, Mr. WILLETTs made a report of his labors, a copy of which we print, as an evidence of the spirit which per-

vades those who would alleviate the miseries of public prisons, and as demonstrating the situation of prison affairs in the States that have been the seats of the civil war.

The action of Mr. WILLETTs may not be regarded as a part of the proceedings of the Society, or of its Acting Committee, but it is the movement of one of the members of both Society and Committee, and has the sanction of both. It is good when members of Philadelphia associations can be instant in season, and out of season, doing good,—nay, “doing good” makes all acts in season.

We subjoin Mr. WILLETTs' report, or letter to Gov. PIERPONT.

TO F. H. PIERPONT, GOVERNOR OF VIRGINIA.

I have availed myself of the permission thou gavest me to visit prisons, &c. Have visited the following:

The Penitentiary I found under the control of a military guard, who kindly received me. Two of the old officers, remaining, informed me of the manner in which it was conducted before the evacuation of Richmond. The Prison was conducted on the silent system: working together in extensive factories, in the daytime, and locked in separate cells at night, and on the Sabbath. They have no moral instructor, no library for the use of prisoners, nor any care taken to classify them. The law required a full separation of the sexes, yet they communicated through the soil pipes. Average number two hundred and fifty, before the war,—fifteen females. There was an infirmary, which is now burned, with the keeper's apartments, and the general destruction of engines and manufacturing implements. The inmates were all liberated, by their own act of violence, at the time of the evacuation of the city, since which the military guard have captured about

seventy with twenty other convicts, now numbering ninety, all thrown together, without work or discipline. The county jail was unoccupied.

In the city jail, I found forty-six locked up for want of a necessary pass from their employer. I was told they numbered one hundred and nine in the morning. They were indebted for their release to persons employing them and getting passes. Many of them were much excited. I hope they may learn wisdom from what they suffer from their mistaken views of freedom.

At Goochland, the jail was burned; it had been constructed on a plan superior to many county jails, with separate apartments for the sexes, both in the building and yard, and some care taken to classify the criminals. There was no employment given, nor any system of instruction, except by individual benevolence.

Their Court-house was spared; a neat building, with jury-rooms, &c.; but now their civil institutions were all suspended, and the military guard had been removed the morning which I visited it, the 13th ult., yet all seemed quiet and orderly.

At Petersburg, I was shown the jail by A. DONNAN, a notary public. A military officer had it in charge; he seemed to have no knowledge of how it was conducted prior to the evacuation of the city. It is old, and strongly built, with two enclosed yards, with high wall, through which a shell had entered and exploded within. The jail is three stories high, with four large rooms. On each story the basement was dark and gloomy, where the criminals of a high grade are kept. There were thirty-six prisoners—no females; they appear to be thrown together without employment, classification, or moral instruction.

In Dinwiddie county I learned, by an intelligent farmer living near the Court-house, that there was no local government established there; that even the steward of the almshouse had left it, the paupers having the control.

It must appear, from the foregoing disclosures, that the principal object in Penitentiary incarceration has, heretofore, been to so place the convict, for a few years, that he may not depredate on his honest neighbor, and contribute most to his own support, not fully considering that associating the young with the old offenders is increasing that class,

to be thrown on the public at the expiration of sentence, ripe scholars in their profession, through the medium of our appliances for their reform. I think it is evident there is a defect in the administration. In the reconstruction of the Penitentiary and its discipline, it becomes the philanthropist to aim at higher standard—the reformation of the criminal. The little expended here is returned to him four-fold in security of person and property, and the consciousness of having done what he could to save an erring brother. I feel free to suggest that there be a Moral Instructor and Teacher appointed to instruct all, from cell to cell, separately, on the Sabbath, and that each prisoner be placed in a separate cell, for a short period, on first entering the prison, to afford the moral instructor an opportunity to impress his mind with good counsel. A well-selected library would contribute to the same end in view; and could there be an association of benevolent individuals formed in the city, as a Prison Society, such as exist in Boston, New York, Philadelphia, and in England, such a society, having legislative authority to visit the prisons at all times, may do much in raising the prisoner in self-respect, and advancement in reform, and assist him when discharged. To provide places for them, and guide them in their new course of life.

The "Report of the Philadelphia Society for Alleviating the Miseries of Public Prisons," accompanying this, will more fully describe the usefulness of such an association.

Very respectfully thy friend,

JEREMIAH WILLETS.

---

## REMARKS UPON THE REPORTS.

We give an abstract of what is set forth in these Reports, more in detail than may seem to suit our annual publication, but far less minute than we could desire

had we more space at command. A knowledge of the prison discipline of all Christian countries is desirable; something may be learned by which to correct or improve our own; something may be discovered of error that may startle by its opposition to right; something that is decidedly wrong that may yet be found in some way connected with the principles by which our own prisons are managed. It is good to imitate the correct movements of others; it is excellent to avoid the errors which are as much in our pathway as in theirs. In both cases it is almost necessary that we should know the right and the wrong of each, that we may follow the one and avoid the other.

FRANCE.—What has greatly pleased us in the Report upon the French Prisons, is the reports themselves, their thorough minuteness, the evidence of a careful searching, and a fair exposition; the details of all that is consistent with or required by the law that authorizes the exposition. It seems to us that in these particulars they approach perfection. They are creditable to all the officers that make the returns of these several establishments; they are creditable to the Director of the Administration of the Prisons, and they are honorable to the Government to whom they are made.

It appears to us that the system adopted by the French Government is improved and carried out by those to whom the execution is confided, with a most wonderful fidelity, and so we are bound to laud the humanity that has thus far been manifest in the administration of the prisons, and especially the admirable principle of order

that appears in the report of the proceedings throughout the Empire, in regard to the conduct of the prisoners.

But while we approve of the French Report, and of much that is reported, we cannot shut our eyes to the fact that the whole system seems more calculated to inflict punishment on the guilty at the least possible expense, than to improve the prisoner by the opportunity of thought and resolve, and by means of directing that thought and carrying out that resolve. There are religious and moral instructors, it seems, in most of these prisons, and these "Aumoniers," or Chaplains, undoubtedly labor faithfully, and discharge all the duties of their appointment. But it is evident that, in their absence, there is more opportunity for the enemy to "sow tares" than there is for the sunshine and dew of silence and reflection, to promote the growth of the true seed.

Rest and quiet are as necessary to induce assimilation in the moral as in the physical pabulum, and in the French prisoners they cannot have the retirement they need in their penal abode, while associated with others who may have less inclination to think. Nay, men of habits so bad as to lead them into prison life, are usually ashamed of anything like reflection and good resolve when with their fellow criminals, and therefore we cannot think that the labors of the moral and religious teachers in the French public prisons are productive of the good that, under other circumstances, we mean with prisoners in separate confinement, they would be likely to produce. They generally commence

their labors too late to produce the benefits which they would confer; and while they are doing all they can, and hoping all things, in the spirit of true charity, one evil associate of the object of their labors in half an hour undoes the work of half a year. And a false pride yields to ridicule what virtue was fast gathering from the labors of private philanthropy.

Under the appropriate head we have noticed the results of careful observation in New York, Great Britain and Ireland, as to the value of separate confinement of prisoners, and the opinion is gaining ground, where it is not already well established, that little or no moral benefit can be hoped from imprisonment when the convict is allowed to associate with others in his own situation.

In France we do not find that this view has been taken in the new colonies or farm prisons for men, boys, and females—they intimate, at least, no disposition to change the social to the separate confinement. France is making much improvement in the administration of her prisons, but she needs a radical change in the system. Our information from the Continent of Europe is not official beyond France' and her neighboring colonies.

**IRELAND.**—It appears to us that Ireland has the best plan of prison government, punishment, and moral direction, of any country in Europe; and it appears also that the views of improvement in that country extend beyond the administration of affairs, to the improvement of the system itself.

**ITALY.**—In the south of Europe, and especially in the south of Italy, while every prison has its means of religious worship, and has daily religious services according to the rites of the Church that is dominant there, it does not appear that any great and organized efforts are made towards improving the condition of the prisoners. Wealth is not abundant, and where it is in any large amount, its possessor has such a great number who, because they are of his “house,” must not bring disgrace on his name by labor, and therefore appeal to him for assistance, that little is left from that source, for public charity of our kind. But in every part of the peninsula of Italy there are immense sums invested for hospitals of almost every kind, for schools, churches, and wedding gifts.

**GENERAL.**—Those who would present to readers and inquirers the condition of prisoners on the Continent of Europe, and more especially would institute comparisons between their discipline and the discipline of those in this country, and illustrate the real and probable effect of treatment on both sides of the Atlantic, must, to make their labor useful, comprehend the different social and political conditions of the two divisions, and comprehend the influence of life upon those on one side, who are to go into a world where their condition, if not unalterable, is at least so fixed that they cannot hope to rise, however easy it may be to sink. And on the other side upon those who feel that, though restrained for a long season from social intercourse, and kept out of that current into which the business men of the time throw

themselves for success, they have yet time and means to rise, and the patronage of the philanthropist that soothes their affliction in prison, and speeds with blessing and assistance their departure, is no bond to keep them down, and compel them to humiliating inactivity. They will feel the weight which their own consciousness of wrong doing and the mortification of penal infliction ensure, but they need not, of necessity, contend against or shrink from the withering rebuke of the moral Pharisee that writes upon his broad philactery the "*procul este profani*," and sits down in conscious innocence of crime, or unconsciousness that his sanctimony has not saved him from suspicion. It is a great blessing, it is an occasion, perhaps, of self-felicitation, that some have escaped the snares into which cupidity so often leads, and it is a source of pride to children that in the world's temptations a father has escaped unscathed. But it is also beautiful to watch the course of the man convicted and repentant of crime, who is toiling and contending against the difficulties of his unhappy position, but who keeps honor and truth in view, and is "nobly bent on virtue." That which causeth joy in Heaven is not without interest on earth, and good men may felicitate themselves upon the results of their own unobtrusive labor, while they discern in the successful mechanic or business man, or politician, "the sinner that repenteth."

#### NOTE TO PART II.

In the second line of the 130th page, occurs, "*the number of commitments is about 2,000 per year.*" This is part of a sentence, the whole of which should have been omitted.

## PART THIRD.

---

### DISTURBING CAUSES, WITH REMEDIES.

The Acting Committee, in reporting to the Society, and through the Society to that portion of the world that takes an interest in its labors, what it has attempted and what it has accomplished, feels that it has good precedent for such an enlargement of its annual statements as may include distinct reference to some of the "disturbing causes," and also to what may be regarded as a preventive of the vices which society deplores—vices which, when they mature into crimes, give employment to the magistracy and the courts, and supply labors of philanthropy to those who would improve the condition of public prisons.

Every man with leisure to observe, and sensibility to deplore, must be struck with the growing prevalence of vices and the augmented multitude of crimes that are recorded in the daily papers; and those who have opportunity, are fearfully struck with the great number of criminals that reach the public prison without any public record of their dereliction, a number so great, and yet the individuals so little connected, as lead to the

most painful reflections that only a very small part of the crimes and vices meet with public exposure; only a small proportion of criminals are visited with punishment.

What is the cause?

We are not prepared to give an explicit answer; but, undoubtedly, the great, the ruling, the ostensible cause is Intemperance—that is, a greatly increasing use of intoxicating liquors—drunkenness, habitual drunkenness. On this painful subject we shall dwell at large, at the risk of repeating ideas offered last year and previously, upon the terrible epidemic. But can too much be said by way of prevention?

We do not mean to write essays on Social Science, but we do desire to present for consideration subjects that connect themselves with the labors of this Society, and which may, if properly treated here, induce some of our members (even though in that labor not acting for the Society,) to undertake, in the spirit of our Society, and with the approbation of our Society, the good work of preventing the miseries which it is ours to alleviate.

It is not the prescribed duty of this Board to inquire into the causes of the vices and crimes for which so many come to add to the labors and the expenses of the prison; but, if vice and crime should ever reach such a state as to enforce a special inquiry as to the best means of repressing them, it may aid the investigation to have some record of their progress.

It cannot be doubted that prostitution and intoxication have multiplied in this city far beyond the increase of population, and that the number of houses devoted to

the means of impurity and drunkenness has been augmented almost in a compound ratio to the multiplication of inhabitants. The attempt to diminish the amount of drunkenness by licensing houses for the sale of intoxicating drinks, was founded on the idea of regulating an evil that could not be entirely repressed, and by permitting, in some places, the sale of liquors to repress it in others, and to regulate it in all. The intent and the plan were good. Since excess in the use of intoxicating liquors is a great public evil, and the use cannot be entirely repressed, it was wise to devise and carry out a plan by which the sale could be controlled. And the right confined to sell moderately, created a power to repress or punish excess. But the execution of the plan failed. The business of licensing public houses has come to be a means of supplying the exchequer of the city, and increasing the compensation of public officers, so that the penalties which are incurred by the sale of liquors is not for exceeding in amount that which the law may deem reasonable, but for not propitiating the law by paying for the right to sell an unlimited amount to any who will purchase. It is not the drunkards that are made, but the licenses that are not paid for that constitutes the offence which is recognized and punished. Pay the price of a license, and every man may display his red curtain, or proclaim his *business* by that species of ground-glass which hides his customers.

It is evident that the idea of preventing the retail of an excessive amount of intoxicating liquor, by licensing the sale, has failed, and failed by a departure from the plans by which alone success could be secured.

Money and not morals, profit and not temperance, have come to be the consideration ; and we do not know that it is much better in any other part of the world where the use of intoxicating liquors is general. But, abroad, there is one motive for granting licenses to sell spirits, or permitting the sale without license, which does not rule in the United States. In Europe the sale of the liquor is the immediate means of supplying one family with bread, and so it is permitted, because the channels of employment are few and crowded, and, if the liberty to sell was withheld, those who looked to the sale for food might have to resort to the almshouse. It is true that those who are permitted to purchase are wasting the means of personal independence ; but it may be doubted whether, in most of those countries, the stability of the government is not much dependent upon a want of liberty in the people, and hence that which weakens the moral force of the masses strengthens the power of ruler. It is true that the philosopher might think it were better to lead men than drive asses,—but it is easier to drive asses than it is to lead men who do not like the conductor, nor approve of the path or the end which he favors.

We do not mean to carry our remarks into the field of politics ; but political economy, perhaps national politics are concerned in the effect which vice and crime are likely to produce—likely now, because we know the terrible effects they have produced. And we are in more danger in this country than they were in Europe, where terrible convulsions were the consequences of general decay of morals. There the strong arm of government could

restrain till it became palsied by its own vice, or broken by the violence which vice produces in the governed. There the sovereign, the king, might for a time exercise restrictive power in the use of the Divine Right; here the people, the sovereigns, know their own power, and, if they become debased, they may exercise it to a terrible and fatal extent.

The two prevailing vices, to which we have referred above, are weakening the moral power of the laws and their administration,—lessening the physical power and endurance of the people. Licensing the sale of liquors has not prevented drunkenness. Would public legislative interference in the direction of impurity be equally ineffectual to good? We dare not say. We can only assert that vice—the vices especially to which we have referred, are on the constant increase; they are not confined to places consecrated to impurity, set apart as the appropriate location of what is most degrading: they overspread their limits; they come, like the plagues of Egypt, up into

“Places sacred to neatness and repose”

Our social meetings are disturbed by dissipation,

“And prostitution in our public walks”

disgusts the virtuous by its impudence, or familiarizes the young to its prevalence. We shall not *now* speak further of the last-named evil, but proceed to notice particularly some demands upon public consideration, beginning with the great national demoralizing habit.

## INTEMPERANCE.

Frequent visits to any of the prisons must lead a reasonable man to inquire after the causes which deprive so many human beings of the great enjoyments of life, viz : “liberty and the pursuit of happiness.” Beings are there incarcerated for whom this life and its associations must be everything, as they seem to have no thoughts of death, and to cultivate no hope in eternity ; yet they really throw away all chances of enjoyment in the prison, while they seem to give no heed, either by fear or hope, either by preparation or anticipation, to the future.

What brings so many of our fellow-beings into such a miserable circumscription ? What is the cause ? And, if that cause be found, what is the remedy for the suffering individuals, and what is the preventive ? That preventive, whatever it may be, is the remedy for society, as it will be the salvation for the individual sufferers.

We find, in the County Prison instances of the lowest degradation into which human beings are led by vice and crime,—we do not say *sin*, as that is a theological consideration,—and, while it involves both vice and crime, includes also that of which society—at least the laws of society—take little account till it has developed itself into vice or called for punishment as a crime. The sins of omission—the sins of the heart—the sins of the affection—the sins of thought—these rarely come to be the subjects of public consideration or legal inquiry till they have taken form, till they manifest themselves in some

*overt* act that often astonishes the world by what is denominated a sudden fall of some individual, till then regarded as of exemplary virtue and great practical piety, while, perhaps, the offender has been suffering a decay of virtue for years, and has allowed one dominant but secret vice to demoralize his whole system, till he stands astonished at the want of discernment in the public to discover what he knew to be working within him as a motive of action, and which he has felt could not escape public detection. These enter into the subject which we have now in hand, and we shall approach their consideration when we shall have called up the ruling vices of this day, and, it would seem, of all days, if not of all places.

We have said that the county prison presents instances of the greatest, or perhaps, we ought to say, of the lowest degradation of human beings, and certainly the Female Department shows that there is

“In the lowest deep a lower deep.”

And therefore we have thought it proper to make inquiries at the doors of the cells of those representatives of vice and crime and degradation, as to the cause of their condition—the cause, remote and proximate—and hearing their statements and comparing their condition, to inquire elsewhere whether there are not within the reach and use of society some means to check the evil, to roll back the tide of infamy that overflows all the limits which a sense of public propriety once prescribed, and thus in time to rid society of those evils which are its curse, its bane; and we have hope—not that we have

found the remedy, not that we are going to take our stand upon the borders of this terrible flood, and turn it back, or even say to it, “Thus far shalt thou go, and no further, and here shall thy proud waves be staid.” We have no such expectation, but we have a *hope*, that by exposing the prevalence of certain evils, by showing how, of themselves, alone and unmixed, they are public curses, and how, in addition, they are the source of most of all the other moral evils of life, and how they mingle in all and make them worse; and especially how the neglect of the good, the thoughtlessness of the humane, and the indifference of the philanthropic, permit the evil to take root and flourish, till there is scarcely a question of eradication, only of correction and direction—by showing that we hope to awaken public attention, and turning it to some means of alleviation, some attempt to save it only from the contagion of these “miserable offenders;” to save also those “miserable offenders” from their vileness, and to hedge up the way of those who have little power of resistance, and to keep them from companionship with the wicked of their own sex, “whose feet go down to death, whose steps take hold on hell.”

Stop at the cell door of the depraved female, of those, indeed, who, though imprisoned, are not yet utterly depraved, and inquire why they are prisoners. One will tell you that her husband beat her, and that for words provoked by blows, thrust her into prison on the charge of “abuse and threats.” Another, that she was seeking a lodging at night, and was arrested and imprisoned for “vagrancy.” Another, that she had a little dispute “with a *friend*,” and words led to a single blow, and she

was committed for "assault and battery." Others will say that they were quiet and orderly in their "own hired house," but that a few young gentlemen came in and made some noise, and so they were all arrested for keeping a "disorderly house." And others, that for only singing in the street they had been snapped up by some policemen on a *raid*, and were committed as "disorderly persons." Others again, when a charge of larceny is made, had only pawned a few things, without at the time knowing whose they were.

Examine the cases of all these a little more closely, "and closer viewed," it will be seen that intoxication was the cause, remote or proximate, of the acts for which they were committed. And now the man who is tried even for homicide, pleads insanity as the direct cause, and *proves* that his insanity renders him unaccountable, and therefore crimeless, because the act is only the natural and temporary consequence of a drunken debauch. Murder, larceny, arson, burglary, theft, violence, vagrancy, all wash their hands in innocence, and refer their misfortune to drunkenness, and drunkenness is not a *crime*—only a *vice* in the poor, only an *error* in the rich, a *fault* in the ignorant, a *failing* in the learned!!!

Drunkenness, then, the intemperate use of intoxicating liquors, lies at the bottom of *almost* every crime that is recorded on our Aldermen's dockets, or that reaches to the dignity of a trial in the Court of Quarter Sessions—not *all*, we know—not all—but failing to boast itself as the cause of all crimes, intemperance continues to become the resort of the criminal, and may boast that

if its power were not to be cited as the promoter of felony or impurity, it had become the constant and necessary resort of the wretch when his crime was achieved. It is one of those vices, it is *the* vice, that, failing in a few instances to entitle itself to the paternity of a few other vices and crimes, revenges itself for that failure by becoming the foster-father of all.

Would the limits of this article permit, we should cite instances to prove our conclusion to be just: that drunkenness in this country is the immediate or mediate cause of most of the misery that is around us, and that nine out of every ten in prison must refer their incarceration to intemperance. We recollect that two years since, we noticed the amount of imprisonment in other countries, especially the south of Europe, and that we added the assertion that the people there are temperate—drunkenness being of the rarest occurrence, and hence it might be inferred that, as people get into prison *there* without drunkenness, so *here* the same, or nearly the same, amount of imprisonment might be found as exists there, even were our people as temperate as are the Italians.

That is worthy of thought, worthy of an attempt at explanation. In the city of Philadelphia large numbers of the people are imprisoned, and it is said that they are condemned for drunkenness, or for acts which drunkenness produces. Therefore intemperance is to be condemned as the cause.

In Naples, large numbers are imprisoned; and the city does not furnish two cases of habitual intemperance; and the drunken man is not punished, unless a soldier.

Why then should it be inferred that intoxicating drinks are chargeable with the imprisonments *here*, when imprisonment is so common in "temperate" countries? or, who shall say that if all use of intoxicating liquors was completely abolished in this city, who shall say that the cells of the county prison would not be as crowded as are the prison chambers in Naples? In other words, who shall say that other causes than intoxication would not fill the prison in Philadelphia as they do in Naples, and the same causes which operates *there* produce the same effects *here*?

We answer that we have no hope of emptying the cells of any prison in our cities. One crime and one vice can exist without others; and the ingenuity of man will contrive means to stimulate to a violation of the law and gratify unsanctified passions. But we know that vice and crime subsist by aliment, and that "where there is no wood; there the fire goeth out," and the withdrawal of the principal part must leave a decayed flame, though

"Ev'n in our ashes live their wonted fires."

But, to consider the proposition of the imprisonments in Philadelphia and that in Naples. Here it is abundant with drunkenness, and, therefore, it is said that drunkenness is the cause. There imprisonment is abundant, and no drunkenness prevails. And, therefore, it may be argued that we should have the same amount of imprisonments that we now have were we to be as free from "intemperance" as are the Neapolitans. That would certainly be "inferable" if the same causes existed

here that abound there. But we lack one or two of the great influencing circumstances.

In Naples the natives are born unto castes as fixed as if the decree of the Almighty had established them, excepting that the lower or more numerous class may have its circle enlarged, and its number increased by contribution from those above, but "to ascend is hard and rare." Enterprise, and the full exercise of capital, which gives life to a community, are checked by the customs of the people and the policy of the government, hence the poor have no employment but that which the wants of society render absolutely necessary, and the vast number of those who are to compete for their employment places the compensation at the lowest imaginable rates. Able-bodied men will work sixteen, and often eighteen, hours per day, for sixteen cents, and "find themselves," and quarrel, and sometimes get into prison "for breaking the peace," in their earnestness to obtain employment at such a rate of compensation. Of course, drunkenness is rather a costly luxury with such people. And flesh meat needs scarcely the protection of the church to prevent its use by the poor on days of abstinence. Meat is a rarity, in the mouths of a large portion of the people, from January to December. But, if these people do not get drunk, they get into prison, and when there, they remain till they shall have earned the cost of arrest and support. *Small pilferings* are the besetting sins of the poor, and political cabals the offenses of the—of the others,—and brigandage and robberies the resort of licentious discharged soldiers. It seems scarcely conceivable that the prisons of Naples should have tenants to

any considerable number, if the people of that city and district had the employment and pay which can, at all times, be had in Philadelphia. But, as such "pay" would be a luxury to the Neapolitans, there is no telling what would be the consequences. But among the rich and the liberal, in that city, a free use of intoxicating liquors of any kind is rare. The miserable water of the place renders almost necessary the use of their weak red wines; but their wines are not of a quality to generate much of an appetite for them, nor of strength sufficient to produce intoxication.

It may be added, that while many prisoners are found in the capitol of the two Sicilies, the smaller cities furnish fewer occupants to the poorly-constructed prisons.

Our citizens are generally supplied with occupation, and those who must earn their living "by the sweat of their brow," have generally that which ensures both sweat and bread. Here no excuse can be reasonably made for theft, and no legitimate wants may be pleaded in extenuation of the violation of any laws. A beastly appetite for strong drinks is cultivated, it is feared, in the infancy of a portion of our people, and hence the prevailing indulgence of the young, and the provocation to violence in the older. It is the sin of our people: it is that which, if a foreigner were to select some fault of character by which the inhabitants of various countries should be designated, he would ascribe to the people of the United States. We know it—all know it—all confess it. Some have made attempts to check the evil. In some States severe laws have been enacted to prohibit, entirely the sale, and even to endeavor to prevent

the use of intoxicating drink. Societies have been formed and rules established ; vows have been registered and pledges given. The halls have resounded with eloquence, grown almost intemperate in its advocacy of temperance and denunciation of intoxication. The streets have been crowded with the open professors of the rules of total abstinence, and yet the curse of hard drinking, and of bad drinking, is upon us. The reaction seemed, for a time, to lead to the belief that abstinence only whetted the appetite, or, that when the excitement of temperance efforts failed, that a resort to intoxicating liquors was almost natural. The pulpit, which once resounded with the thunders of denunciation against the particular sin of drunkenness, seems now to have compromised with the practisers of the fault, and to have restored the crime to its old category, and left it to be included in the general catalogue of wrong-doing, as if it were not the duty of all who teach, besides the reproof of all errors, to denounce, with special emphasis, "the sin that doth most easily beset us."

We do indeed hear talk against intemperance ; but we discover no means yet for reducing the evils. It is said by many, that the cultivation of the grape and the manufacture of low-priced wines would tend to diminish the use of whisky and the villainous compounds that fill the bottles and decanters in the grogeries ; and the cases of France and Italy are cited. But Germany also produces cheap wines, and, also, has to blush for the amount of intemperance among her people ; though it can scarcely be doubted that a wine-drinking people furnish fewer drunkards than a brandy or a whisky-drink-

ing community. But, we may add, that still a smaller number of drunkards is found among water-drinking people.

But the difference in causes between the imprisonment in the United States and that of Naples was under consideration. Here it is confessedly drunkenness—there it would seem to be pilfering from absolute want, and hostility to a government that, by inactivity and want of sympathy, discourages that enterprise which produces and rewards industry, and thus prevents want. *Here*, if drunkenness should be abolished, we might hope for a great diminution of imprisonment. Revolutions *there* produce little else than political melioration and military activity, and so we do not suppose that the number of prisoners is greatly diminished; besides, we must wait generations at least for any considerable effect upon the morals of the people. Habits that are general are not easily nor rapidly changed; they remain in antagonism with the new circumstances, and only yield when a new race, with manners, customs and expectations formed upon the new state of things, shall come up, moulded upon other principles and influenced by other social and political institutions.

So here even the prevalence of entire abstinence from intoxicating liquors in whole communities did not produce (though it was producing) the benefit promised. Two causes, at least, operated against the fulfilment of the promise of the sanguine temperance apostles, and one cause was the succedanum which the pharmacopœia supplies for the effects of intoxicating liquors. Those who had drunk for the love of drink, or for a mere love

of sociality, generally maintained a good report among the brethren of the temperance organization ; but those who had drunk from a love of the effects of liquor, missed that nervous exhilaration which constituted their happiness, and though faithful to the pledges against all uses of spirituous liquors, they were not proof against the temptation to exhilarate and make themselves temperately happy by a resort to opium and its extracts and compounds.

Another cause, and that which is most worthy the thought of a philosophical philanthropist, is the debasing effect which the habits of intoxication has produced in the manners and morals of the people. This is much greater, and much less eradicable, than is usually considered by those who gave themselves up to temperance reform, and those who either directly opposed such a reform or were willing to find in the conduct of the reformed something upon which a censure of temperance could be sustained.

Drunkenness is an evil extending far beyond the mere temporary loss of mental and physical power during the time of intoxication ; it is bad enough in that effect, but the habit of procuring liquor by subterfuge, by misrepresentation, by a constant habit of deception, debases the man, and accustoms him so persistently to try to be what he is not, to seem to be what he knows he is not, that a true self-respect, so necessary to real enjoyment, is terribly debased in those who maintain some respect for the world, while they are slaves to their appetites. Others soon get over the sense of allegiance and obligations of obedience to the

established opinions of society, and drink whenever they can obtain the liquor, and are as shameless in their customs, and as regardless of the exposures of intoxication, as if drinking was the great duty of life, and intoxication the evidence of a faithful discharge of that obligation. He who would hope to make a reformation in either of the above cited class of drunkards, has to overcome the habits of deception which the former has acquired, and to correct the misconception which the shameless conduct of the other class exhibits; and then he will have to purge society of the evils which the long toleration of intoxication has nurtured, not merely in the persons of the offenders, but in the habits of the temperate, and their sympathy with the intemperate.

In any attempts to purge society of any established *vice*, the failure has usually resulted from a want of appreciation of the influence which that *vice* has had upon those who have not been vicious, and hence a want of persistency in means to secure the victory which seems to have been achieved. If in the city of Philadelphia there are ten thousand male and female drunkards, drunkards by their own admission, or by the concurrent testimony of most who know them, (and that all will admit as a low figure for that important class,) will any say how many thousands there are who are just "on the brink of being born" into that separate world of inebriation? Will any say how many thousands occupy the outer and receding circles in this approximate classification? Persons who have seldom been drunk, and who as seldom go to bed entirely sober. From this last class, from these embryo drunkards, comes the hostility, or in

that class is found the obstacle, to temperance measures. The ten thousand drunkards will, with proper effort, yield a small contribution from their number to the ranks of perfect temperance ; the remainder will drink while they can procure the means of intoxication, and then *die*. They are like mill-dams on the country streams, only divert therefrom the current, and the waters are wasted away. Stop the progress of temperate towards intemperate drinking, and the host of drunkards will diminish into insignificance.

But who shall check the downward progress of the mountain stream by which the mill-race is filled ? Who (still more difficult work)—who shall stay the downward course of the habitual drinker who has seldom been drunk ? This class of habitual drunkards derive not more their numbers from the temperate or the private drinker, than they do their argument for drink from the habits of those who, maintain respectability in society, do frequently that which, if done more frequently, causes the misconduct and disgrace of the drunkard.

We are constantly ministering to the effects of the evil—putting into coventry the rich, and into prison, the poor drunkard. But who has searched out and seized upon the sources of the disease ? Who has followed up the stream, and, by persistent labor, by indefatigable exertions, made the attempt to correct—to purify the fountain ? Who knows where the fountain is, and what will work its cure ? The prophet of Syria found not only the cause of the poison in the springs of his country, but he discovered and applied a remedy. He healed the waters

with salt. Where is the prophet that can show the origin of the evil of intemperance, that can detect the virus that lurks in the springs whence flow the morals of the people, and then apply a cure? Temperance may have directed the excitement of one pair of nerves to another pair—from rum to opium, and from opium to enthusiasm—till one disease has been scarcely more tolerable than the other. Societies have been formed to cherish and perpetuate temperance in the use, or rather, abstinence from, the use of intoxicating liquors. These have been too often suffered to sink into instruments of the party politician, who has secured his election by appeals to temperance men, in behalf of temperance; and he has celebrated his success by orgies that intemperance itself would blush to find charged to its account.

We want patience and perseverance. We need to comprehend the character of the people whom we would convert and keep converted, and we need to understand the influences of institutions that allow liberty to every individual, even though he cannot distinguish between that blessing and the other extreme, which is licentiousness. But especially do we need to comprehend the effect of sudden riches and easy gains upon those who have not been used to the responsibilities of wealth, or the lesson which unusual compensation permits. We need to study more fully the means, if they exist, of assimilating the daily received thousands, who come from abroad, with the different material which are of our own number. Labor is a curse abroad, much as it is desired *there*; it is regarded as a curse by those who seek it with earnestness and perform it with diligence, because it never does

more than supply the means of strengthening the system to additional labor ; and the paradise of such persons is some place or position where bread and clothing can be obtained without such toil ; any position, or any occupation that, without hard labor, secures only what hard labor has hitherto produced, is the ambition of the laborer abroad ; and, when he arrives in this country, he too readily perceives that he who ministers to the appetites of his fellows soon becomes their master, and that the selling of liquor is at once as profitable as labor, without the drudgery, and, in time, secures an influence which is desirable both socially and politically.

Those, then, who would check the master evil of our country have something to do beyond preaching. They have to think of all the causes which have produced, and are continuing, the great curse of intemperance ; and, if they should succeed in that inquiry, they have then to devise the means to reach correctively the cause ; and they have to do what yet has not been done ; they must persist in the work ; they must not depend upon excitements,—excitements react terribly, injuriously, permanently, as we all see. Ten grog-shops now exist where, before the temperance cause was preached intemperately, one was to be found. Men get rich now by retailing intoxicating drinks : formerly their greatest success was bare support. Men rise into legislators, now, from the bar room : formerly the movement was from the legislative hall to the bar-room. The corner of the street, where the red curtain screens the window, or a green venetian blind admits more air, and less light, is now a political institution, as important to the proceedings of the

Legislature of a State as were once the Bureaux of Paris to the National Convention. Behind the bar and over the bottle are settled, first the policy of legislation, and then naturally, and in proper order, the *personnel* of the Senate or the House. And the masters of the Lycurgusses and the directors of the Solons of a State are seen daily, with Republican simplicity, in their shirt-sleeves, supplying stimulants to their customers of the neighborhood, and giving law-makers to the Commonwealth ; and the reaction is beautifully compensative.

If the Legislature owes some members to the preparatory action of the grog-shops, those grog-shops owe their success to the grateful, perpetuating enactments of legislatures, and the fostering visitations of legislators. Republics, it is said, are ungrateful ; but not the citizens of a Republic. The Nation may, from economy or neglect break the heart of those who have served it and saved it by sound principles ; but State institutions exercise their limited sovereignty in liberal compensation to those who have administered them through taste and appetite.

We hear, indeed, of the progress of the age, but that progress may not be in the right direction, and the erring course may not be confined to the seniors. The toga, once the emblem of manhood, now gives place to other *habits*, and cigars and whisky are now the evidences of *manly* pretences ; and, in this free country, where precocity is the result of a lack of discipline, the application of the tokens and the habits of the advanced class being arbitrary, the junior aspirant

“ Rears in his mouth a gigantic cigar ”

as he goes to labor, and squirts his tobacco saturated saliva bountifully around him, and signalizes his half hour of recreation by a furtive visit to the red curtain around the corner, and returns refreshed for the necessary toils of the day.

This is extravagant, it may be said—it is rather generalizing extravagantly—it is pointing to the exception fast becoming the rule, and giving with emphasis the state of things as they now are, by anticipatiug a little what they, if uncorrected, are certainly and rapidly becoming.

If men or women reading this paper hesitate to give credit to the statement because it is only a little in anticipation, let them only visit the cells of the prison, and see the lads who find their way into this rendezvous of all that is bad. Let them go to the police station in the morning and see some of the junior members of the night's arrest, and notice the painful difficulty which the magistrate has in deciding upon the cases of this class of offenders, whether to fix their future degradation by making them associates of the established drunkard and thief, or seeming to encourage their downward course by letting the last night's offence pass "unwhipped of justice." Or let some one stand at the prison door and see the constable or policeman hand in the ten and twelve year old lad who has obtained drink by the money which he has stolen, and become insolent and violent by the intoxication, the madness, which the poisoned liquid has produced.

Or let those men or women go and sit by the dying girl or boy, and hear, as the writer of this article has

heard, the mortifying, the reluctant statement, that it was not the love of rum that made the sufferer a drunkard, but by the impression that there was something manly in the tossing off of a glass of grog and the puffing of a two cent cigar, or the rolling of a quid of tobacco from side to side of the mouth. Or that the example of a drunken father deprived intoxication of a portion of its criminal character; or the errors of a mother were by the girl mentally pleaded as an excuse for her own misconduct, or at least those misdeeds were continued in the full knowledge that criminality would prevent the mother from punishing for the offence. What a thought! What a curse! The mother afraid to rebuke or punish the damning fault of her daughter, because she knows that her own conduct is faulty in the same direction! The eagle wounded by the arrow feathered from her own wing is a weak comparison.

Yet these are the daily revelations of the criminal cells of our prisons.

“How could you,” said the visitor to one who was incarcerated for an act that is the highest on the criminal calendar. “How could you, young and delicate as you are—how could you commit such an act?”

“If that were the first erroneous act of my life, your question would be more pertinent.”

“But with some education, and with much gentleness of manner, how could you have strayed into a path that would lead to such a crime?”

“Can you look back on your book and see whether \_\_\_\_\_ was a prisoner here—perhaps four years since?”

"She certainly was."

"Well, she was my mother—my marriage causes the difference of name. Was my parentage, was my home, were the associates of such a woman, were the example and the counsels of that woman, think you, unlikely to lead me to crime, and make me a successor to my mother's cell, as I was to her business?"

"But your mother drank."

"She began by drinking, and so did I. That is the cursed cause of my disgrace, my crime, my imprisonment, of my—of whatever may follow. Stop drunkenness, and the Author of Evil must invent a new passion or a new means of promoting passion and augmenting crime. I say to you—I who am younger than your grandchildren—I say to you, that with all the means of easily procuring a living, of competence in this country, if you will destroy the means of drunkenness in your city, you will close your prisons, or have such little use for the cells as scarcely to intimate the purpose for which they were constructed. Prevent the use of intoxicating liquors, and you take from other crimes their claims on the sympathies, as you remove them from the excuses of mankind. Let it go on, let drunkenness increase as it has done of late, and you might as well lease the dwelling-houses in the city for the reception of the inebriate, and open the cells of the prisons as retreats for the temperate. Your society sends persons here to "alleviate the miseries" of the place, and I thank God for the kindness I have received from their agents and others; but the greatest miseries of public prisons now come from the number of those who crowd the cells;

and of those who crowd these cells, nine-tenths, as you admit, come from drunkenness and the disorder and vagrancy which drunkenness produces; and nearly every one of the remaining tenth depends on the plea of intoxication to excuse the crime and diminish the punishment. And look into the families which have as yet no representation here, and see how few there are that do not tremble at every police report they read, or every temporary absence of some of their number, lest habitual drinking should have begun to present its consequences."

There are lessons *from* the prison cells as well as *to* them. The visitor goes to the door of the incarcerated and preaches, but he occasionally hears sermons which startle him when vice and corruption are spoken of by the poor prisoner. Visitors, sometimes, hear the great truth—"Thou art the man—the man who, though thou mayest lay the flattering unction to thy soul that thou hast not done these things, art yet chargeable with neglect of the duty of preventing them."

What is wanted? What shall we do? We have tried association! We have tried exhortation! We have resorted to licenses, and yet the evil grows. Is it intended to let the evil grow till "some alarming stroke of fate strikes through" society and startles public indignation to a lawless outbreak, or till public sentiment becomes so debased as to take no heed of the evil?

Who will say to the people "You must either multiply prisons, or wink at crime, if intoxication is to be encouraged?" Who shall say that hitherto no true mode has been adopted for want of a deep consideration and

a perfect disinterestedness? Who shall say, openly, that the wisdom of the learned is useless, and the threatening of the laws ineffective, because they are not properly directed? Who shall boldly stand before the people and point unmistakably to the connection between intoxication and the evils which beset society—between intemperance and the plague that wastes at noonday—between intoxication and the feebleness of our laws and the laxity of their administration—between the evil of a drunken commander and the massacre of ten thousand troops? Who shall say that all these evils come from a want of deep, hearty consideration: “with destitution is the land made desolate, because there is none that is thinketh in his heart?”

Go to the corner of the street—go to the police stations—go to the prison—go to the field of battle—go to the halls of legislation—go to the heart-broken family—if you would understand anything of the insupportable evils of intoxication! And go and consider how these evils may be alleviated—how society may be relieved from the fruitful cause of its troubles—how the Nation may be saved from the greatest curse that has ever befallen it.

But whence come all these evils? Whence comes drunkenness and impurity that so besets our community? These vices, and the crimes with which they are connected, or of which they are causes, have their beginning—have some deep-seated source that is hidden from the public eye and escapes general detection—it is beyond and below the ordinary search; and, if we would detect the origin, in order to prevent their growth—at

least their pestilential prevalence—we must begin at a period of life earlier than has usually been assigned for the commencement of the evils, and we must look into influences as well as primary causes.

---

## WANT OF HOME.

Perhaps, in considering the disturbing causes in social life, too little thought has been given to the influence of *home* upon both male and female children, whose essential *character* seems formed at a period much earlier than is usually supposed. And it is certain that upon the ductile and impressible minds of children, the constant privation of home influences, before the age of seven years, must be most important.

On the continent of Europe, perhaps in all parts of England, Homes for the poor are very incomplete in the fulness of supply of what in this country, what, indeed, in England, really is understood by that most inclusive word “*HOME*,”—parental government—parental watchfulness—parental affection and family *seclusion*—the mother of delicacy, and delicacy is the mother of purity.

In all countries, and in all ages, men in difficulty have turned with yearnings of the deepest affection towards the home of their childhood. The prodigal son, of the Saviour’s parable, first thought of his father’s house when the want, which riotous living had forced upon him,

made him a sufferer in “a far distant country.” It was not, apparently, in his case, so much “home” affection as home fare that he sought,—not *home* indeed, but the comforts of the homestead. And he was not first received at home. It was at a distance that he was met. Not in the sanctuary of domestic privacy, but in the highway, among servants and strangers, that he felt the embrace of his father. The Great Author of Christianity, who narrated this little history, though he knew the human heart, and knew, also, how sanctifying and peaceful is a *mother's* love, brought not into his narrative any account of the share which the mother of the prodigal son had in his reception. The Master spoke to the comprehension of the Jews as they then were, just as he accommodated his reference to the cause of day and night, and the motion of the planets, to the limited attainments of the people in the source of astronomy; though his own hand had launched the planets into their unfailing motion in their mighty orbits, and his finger held the sun in its appointed place. No mother was mentioned in that narrative, because the idea of home did not include her presence. Or, perhaps, the mother had long been dead, and hence the last-born, the darling of the mother's love, had become a prodigal. While the other son, the object of the father's pride, and is his eldest, had profited by his primogenital privilege, and lived in the occupancy and in the administration of what was all his own.

The mother, then, as the centre and the light of home, is one great, *the* great means of family attachment, and where her influence is most felt for good,

there the children, there the incipient citizens are best moulded to domestic, social and civic duties.

But the privacy of home is necessary to a home; and if we had time and space, it would not be difficult for us to show an intimate relation between the crowded tenement house—the exposed family arrangements—the subject of family discipline on account of that exposure—and the irregular conduct of its inmates, at home and abroad—the beginning of their public faults, and the means and cause of their incarceration.

In houses occupied by many families, where each is compelled to hear and see most that is done by the others, it will be a natural result that one family shall acquire a disregard for the opinion and observation of the other, which shall lead to a neglect of all the little delicacies of family association, or such an apprehension of the over-looking and over-hearing of their immediate neighbors, as shall prevent the requisite discipline of the household, and leave, unadmonished, the dependent, or uncorrected, the offending child. The effect of this semi-promiscuous association of numerous families is destructive of that true delicacy which is the safeguard to the virtue of the young female; and those who are looking beyond the magistrate's office, and the testimony of the policeman, for the causes of imprisonment, will find them abundant in the necessities of crowded tenements, in the want of domestic privacy, and in the consequent neglect of those parental duties upon which the virtue and happiness of the children depend.

In no large city in the world are there such accommodations for the humble laborer as in Philadelphia, and

the small, neatly finished and well furnished tenements on the borders of the city, that rent for ten or twelve dollars a month, may be regarded as among the real luxuries and means of virtue for the laboring classes—steps in their upward movement to the more ample and sometimes palatial residences of the west end of the city. Thousands, without a thought, perhaps, of the cause, owe to these separate tenements the virtue, the respectability and the competence of their children. Thousands who, if condemned to the exposure of numerous families on the stairway or in the hall of an overcrowded house, would have to pine in their own poverty, and mourn over the sad influences of their dwelling-place upon their children.

These remarks, of course, relate to the influence of crowded dwellings and want of privacy upon the families and children of the poor. It is not for us now to compare the cause, and its effects upon the poor, with the public hotel boarding, and the exposures upon the families of the richer class, who sacrifice the comfort, the decency, the privacy, of home to the constant exposure of the large hotel. Yet we may say that no wealth, no claim to respectability, withdraws the children of the less laboring class from the effects of exposures to evil. Like causes produce like effects in all, allowances being made for circumstances, and a little more time being granted for those evil circumstances to work through the panoply of wealth and respectability.

It may be said that we have crowded prison cells in Philadelphia where these admirable dwellings for the laboring man abound. Of course we have. We are

overrun with a vicious population, that was neither born nor educated in Philadelphia. We have thousands of families who, not having been reared in the decent propriety of domestic privacy, do not comprehend the discomfort and the moral danger of the *room* living; and possibly even some of these neat and comfortable houses supply occupants, male and female, to the prison cells. We look for no perfection in morals, we recommend no means of improvement, with the promise that, if adopted, it will be a perfect work. But we do say that, with many years' close attention to the character and the antecedents of prisoners, in daily conversation with them at the cell-doors, we have not failed to confirm our impression that the want of domestic privacy is a terrible cause of much of the vice and crime that prevail; and we do not remember that we ever knew a prisoner, especially a female, that could point to one of these neat houses as being or having been her home.

But we repeat it, we do not expect that the multiplying these tenements will banish vice; we know better; but we may say that it will destroy one great and powerful cause of vice and crime, of indelicacy, indecency, and impurity. That is much—and, beside lessening crime, it will secure confidence and comfort, and a higher sense of respectability, to the tenants. Surely here are motives to action, and those who would alleviate the miseries of public prisons should know how the beginning of indecency, indelicacy, and how all the crimes that crowd the cells of our prisons, result from some antecedent error which was deemed too small for reproof or correction.

Careful inquiries into the disturbing causes thus lead to the conclusion that a want of home is one of the potential instruments of evil. If there is one distinguishing feature in Philadelphia life, one that marks its superiority in that respect to all others, it is the well sustained idea of Home, an idea scarcely comprehended in the cities on the Continent of Europe, and poorly understood in most other places. The evils to which we have referred are found in crowded tenement-houses, and discoverable in damp cellars, occupied by human beings, joint tenants with the rats, that, without the companionship of human beings, might have found the situation unendurable. These evils, where they exist, are spoken of with great earnestness, and denounced with proper emphasis by those who are "searching the city with candles," to find the cause of contagious diseases and widely sweeping epidemics. Sanitary efforts are directed towards this mode of existence, that makes troglodites of so many who were intended for the upper air and the decencies and proprieties of social life. But this mode of wasting the physical powers of our species, and generating miasma that shall extend beyond its mephitic cradle, has operations different and far more fatally potential in its effects on society. It destroys health, of course, and it generates typhus and its cognate diseases; but worse than that, it is the destruction of all those affections that cluster around the idea of home, and sanctify the relations of parent, child and friend. The sick wife becomes a mother in the midst of the squalor of the impure place, and the outcry of impure companions. Even the good and the virtuous, who would be decent,

cannot avoid the indelicacy of their position, and the children do not escape the fatal consequence of that indelicacy. The laboring husband and father returns from his repeated labor of the day, unable to give vent to his feelings of dislike of what is abroad, or his affection for what is at home, lest the next room neighbors should be sharers in the family colloquies. And the impossibility of making the miserable chamber or cellar tidy, soon operates to make the mistress indifferent to its appearance; and squalor and dirt are not the qualities of a mansion which attract the masters to domesticity, or induce him to try to make his apartment his home. He soon learns that he is even more welcome to the dram-shop than to his family—more comfortable, at least, where there is some regard to and means for cleanliness, than where all hopes of order and neatness are excluded. He wants a home, he marries for a home, he feels yearning for the decencies of the family fireside, and in moments of anxiety, care, disappointment, and some want, he would sacrifice much for a *home*, that Bethesda of the human heart, where the angel of affection in the young wife and child unite to soothe, console, and heal.

We doubt whether the influence of Home—Home in the separate connexion, the poor man's home, not the common burrows of a score of families—has sufficiently occupied the attention of those who seek the comfort of the afflicted, and the removal of the causes of social evil. We hope that attention will be given to this branch of domestic comfort, and that Home will be regarded by those who study and preach social science. The want

of home, the want of domestic privacy, sends the working-man to the tavern, the wife to the domestic bottle, and too often her children into disgrace and infamy, to the neglect of those lessons and practices of propriety which seem incompatible with the mixed crowd of tenement houses—houses, indeed, *tenanted* by hundreds of human beings, without even a place of separation—dilapidated old tenements, that have sunk to dram-shops below, and “rooms to let” above.

---

## YOUTHFUL DEPRAVITY.

We must take a glance at another element of evil, whence the jails and penitentiaries derive their population—we mean children. We shall say something of early education, and we shall, by extracts and arguments, seek to show that *early* education should begin *very early*. Dr. WATTS did not think it beneath his dignity, as a poet and a distinguished divine, to write “a cradle hymn,” and thus he showed how important he regarded early education, and how early that early education ought to be commenced. We shall now refer to a class of children who have never had the advantage of nursery rhymes and nursery discipline, who have little recollection even of maternal ministrations, unless in connection with the application of the bare hand or the readily-reached stick to punish offences which had never been defined as wrong, and which now appear to

the child to have been only offensive inasmuch as they thwarted some plan of the offended parent, who applied the castigation—not in the hope of correcting the fault—only to gratify personal ill-feeling.

Parts of our city abound in these young scape-graces, who are constantly in mischief and often in trouble; who get into the “House of Refuge,” and out of it, till the managers refuse longer to give them room; they are too bad for the place made for bad boys, and with their growth is the continued augmentation of the belief that they are irreclaimable. These youngsters are the pest of the neighborhood to which they may resort, and annoyance of any prison or refuge to which they may be sent. They have knowledge enough to do all kinds of mischief, but they have not reflection enough to foresee the consequence of their misdeeds. Every year adds to their ability to violate the laws and annoy some of the well-disposed citizens. They find entrance into unoccupied houses and strip them of what the plumber and gas-fitter have left for the proper service of water and light. Fires originate with them, often in entire absence of thought of the amount of mischief which they are inaugurating. And having acquired among their own associates a sort of primacy in evil, they maintain the superiority till they rise from the humble condition of saucy, mischievous boys to the dignity of consummate rascals, as men.

The arrest of such boys does not amount to much; decent mothers or aunts easily procure from them a loud and emphatic assurance that they will do wrong no more, and then they are released, on account of their

youth, and the decency and the suffering of an aggrieved mother. Speak to one of these boys, in the midst of his mischievous movements, and his bold and saucy manner, and indecent—often blasphemous—language will soon satisfy the friend that his interference is to work neither comfort to himself nor benefit to the young offender. With them age has no claims to respect, nor virtue to distinction. Like their young prototypes in the Bible, they insult the gray-headed or bald-headed philanthropist who would do them good, and, like them, are torn by what their own bad passions have provoked.

Asylums, Homes, and Houses of Refuge have been provided for the young offenders of this character, but it is obvious that certain causes have been operating, of late, to augment the number of those who, for their own good and the public peace and city honor, should be placed, where they may be improved as society needs, and punished as their own faults deserve.

The work has, from time to time, been undertaken of reforming these juvenile offenders, and it is to the credit of those who have assisted the enterprise, that the work has been well done, as far as it extends. But there seems to be a new outbreak of precocious depravity that forbids all hope of immediate effectual operation towards its diminution. The number of offenders and the multitude of offences, the new character of crime, and the bold impudence of the young criminal, call for some prompt and powerful application. Prisons, Refuges, and Homes are too scarce, and those existing are too small to take in the multitude of this class of

wrong-doers. And society shows itself unable longer to absorb into natural circulation the morbid mass. Where are those who will deal with the parents of the incipient rowdy? or, the little one being parentless, who are those that will devise and execute a plan for arresting and limiting the evil without arresting and confining the actors?

It sometimes happens that the mother, who is seeking her rebellious son in prison, has to lament the failure of all the lessons of morals and religion which her piety, her affection, and hope have poured out upon her erring son. But it most frequently occurs that the wretched child is parentless, homeless, friendless. It sometimes happens that the afflicted mother has had to see her lessons and her example destroyed in her child by the drunkenness and consequent misdemeanors of his wretched father. Sometimes the mother goes to seek her sons or daughters in prison, and solicits their release, when her own breath is loaded with the fumes of intoxicating drinks, and she presents a vacillating gait and “redness of eyes by tarrying long at the bottle.”

This is a subject so prolific, that we do not here venture to pass beyond the mere reference to its importance. We are not now prepared to propose any preventive or remedy. The evil lies deep in the system: it needs thorough, radical treatment. And it is to be feared that the remedy which might first suggest itself would be found quite inadequate. There are so many circumstances to be taken into consideration, in this country, which, if they exist, are of less importance, abroad. We have a population that comprehends well the value of

the liberty which they secure to themselves by citizenship, but who seem to be wholly unable to comprehend the close relation which the exercise and enjoyment of that liberty have with the indulgence of licentiousness. They are, apparently, ignorant that enlarged social liberty involves also the idea of enlarged social protection. They seem, in self-indulgence and the freedom which they give their family, to be entirely ignorant of the great principle of "social science," that by the law of freedom each individual is as much accountable to the established authority for what he does to himself as for what he does to others. That the law protects him against himself as much as it protects him from the aggression of others, or others against his aggression. Every man, rich or poor, is a part of the Republic, and as such is amenable for all that affects the Republic for himself towards himself as towards others. Could this idea be early impressed upon the minds of those who make up society, we should have much fewer of the acts that crowd the prison cells with astonished occupants, much less of the sophistry that argues that as drunkenness was produced by the use of the drunkard's own money, it was injustice to punish the inebriate. Take this argument to the family: No man has a right to administer his own affairs so that society shall suffer. No man has a right to allow his children to grow up in the exercise of those vices which ripen into the worst of crimes.

But if he will do it, if he does it, indeed, who shall stay his hand? Who shall interfere when the father errs or fails? Who shall check the wrong by dealing

with the misdoers? What man will, by sacrifice and suffering, so present the subject to society that it shall be sanctified by his sacrifice and suffering, and be commended to imitation by his success?

Our city is overrun with parents who misdirect, by example and precept, their miserable offspring, and it is still more injured with the augmented number of those young offsprings, who multiply crime and criminals to the disgrace of humanity.

What is the true remedy, and who is to apply it?

Is it known whether ordinary school education would make these children better? Is it thought possible so by force or persuasion to gather them into some place where morals would be taught by precept and example, and where their violation would be followed by such a visitation as would give to fear that salutary influence which principle would afterwards produce?

It is said, indeed, that education, ordinary school learning, only gives to a bad person available instruments for wrong-doing, and that is probable; indeed, it seems almost certain that the instrument will be *used* unless the heart and the affections be cultivated with the intellect. We need, then, asylums, places of "refuge," homes for the homeless, where, along with reading and writing, may be taught the difference between right and wrong, and the advantages of the former; the *habit* of the former, indeed, for we repeat a favorite adage: "The habits of childhood become the principle of age."

We need reformatory houses, schools, asylums, homes, refuges, retreats, or by whatever name the places may

be called. We have some excellent institutions of the kind, but "what are they among so many?"

All who know Philadelphia understand well that the philanthropic of this city have taken a lead in the work of mercy, in provisions for the poor, in sustaining retreats and opening "Homes" for the desolate; but events have proved that, available and competent as these provisions once were, they are unequal to a new state of things, and it is known that many of them have failed of their desired measure of usefulness by a policy that they failed, in some cases, to win the entire confidence of all by what, in a religious sense, may be regarded as a denominational tendency. Without considering the correctness of such an opinion, or inquiring whether, if correct, it is available against the great moral and social good proposed by those who direct some of these institutions, it is certain that an effect has been produced that diminishes the power of them to secure the objects they propose; and in addition to all this, be it said parenthetically, the influx of foreigners has been so great, that the class needing help has got beyond all the means provided by these associations.

But we think much good has been done by attempts on the part of those who, complaining of the denominational influence of existing institutions, have endeavored to establish others, where, without diminishing the proclivity of the instruction towards a special creed, that creed shall be in accordance with the opinions of the parents of the young offenders, so that there can be no objection to the entrance of the children into such an

Home, and no anxiety about the effect of the habits and the instructions of the place.

It is to be hoped that the efforts which have been, and which are being made, with additional zeal and success, will be continued, and will be seconded by public contribution. Immense good has been wrought in New York by an attempt in that direction, which has been seconded most kindly by individuals, and liberally assisted by State and city legislation.

We are not prepared with statistics of the number of children in this city that are growing up to public injury individual infamy, but probably four or five thousand, who will, making allowance for improvement, and the more certain privation by death, contribute a terrible amount to the vices and crimes of the town. When it is considered that in each one of these are the materials for a divine, or general, or statesman, or, what includes all, the materials for a good man, who can fail to deplore the awful waste of moral power and physical constitution that is involved in the condition of these almost unconscious offenders?

We do not suppose that, with even the best of material, these children can be made of great use. We know how important to that result is an *earlier* training. But they may be withdrawn from the rank of vice in which they now shine, and be saved from the career of crime and the end of infamy towards which they are rapidly tending. For that purpose, so important to society, surely it is desirable that philanthropists should seek to snatch them from their dangerous position; but for a higher and a holier purpose, for an end that lies beyond

the errors and punishment, the virtues and the reward of this life, it should be the earnest desire and constant exertion of every Christian man to check their course and turn them to virtue.

Something, we are glad to notice, has been attempted in this direction by a veteran philanthropist,\* a member of this Committee, but outside the action of the Society. Thousands of rude boys, bootblacks and supernumerary paper sellers, have been called together with a purpose of organization, and a plan for moral and physical improvement. *This* plan may fail of the good effect exactly in the direction proposed, but no plan of good ever entirely fails—objectively it works benefit in some form, perhaps, more consistent with the circumstances of the proposed beneficiaries; subjectively, the author of such a scheme has a glorious reward, in the consciousness of

\* Mr. ABRAHAM MARTIN has taken measures to instruct some hundreds of the small newspaper boys; little bootblacks, and others of similar age, and of equally indifferent habits. As a general rule, we should prefer to see such persons gathered into Sunday Schools and other similar organizations in churches, which their parents were accustomed to attend, (if indeed they or their parents ever had any such custom.) It would make them feel a more common interest with others. But when, as in this case, the number is so large that the school that would receive them into class could not take them up into the moral or social circulation, and they must hence remain a distinct portion from the other members of the body. It may be deemed best to unite them, to give their *esprit du corps* a higher direction, and make them feel a greater respect for themselves; in the first place, from the interest which their superiors manifest in their welfare; and secondly, from the higher aims and great success which attend their associated efforts.

good efforts rightly intended, and a gratifying sense that he has tried to do good to more than "one of the least of the little ones."

---

### COMING FROM THE COUNTRY.

Cities owe much to the enterprise, calculation, industry and integrity of business men, as well as to the appropriate qualifications of those who are in the learned professions. All combine to make up the great sum of business that gives activity to capital, and employment and reward to industry. Above the thousands who acquire no particular distinction, who toil to live, and seem to live only to toil, there looms up, here and there, some one that has acquired immense wealth by doubtful speculation, or by the frequent, sudden variations in commerce; and now and then one dies, who has earned, by long industry, and saved by pinching economy, millions, that afforded him little comfort, save in the acquisition, and which do little good till he has ceased to look upon them. These exceptions arrest attention, and are often mistaken for the rule of mercantile life, instead of the exception. Thousands have followed the wagon to London, or sold cigars in Philadelphia, that never acquired more of what Whittington attained than the cat with which his name is connected, or accumulated more of what Girard possessed here, than the name for integrity and the respect for extended age, which were a part

of the great Philadelphia mariner and banker's attainment.

The continued tide of people, country-born and bred, that is flowing into our large cities, might be regarded with more approbation as infusing healthy material into the life of the commercial capital, if it were not that it is from these materials that spring so much of the very impurities which we have to deplore and try to correct in the social condition. It is to be feared that a dislike for direct manual labor is one cause of this influx of country immigration, a disinclination to expend the sweat of the brow and the force of the arm upon a day's earnings. The desire to "taste and see" what are the amusements of a city life, without the experience or restraint which suggests prudence, or keeps back from dissipation, induces a vast number of young men, every year, to seek their fortunes where so many fortunes are made,—how many are spent, they do not know,—and to rush into enjoyments that please at first, from novelty, and produce disgust when it is too late to pause.

Of course many, who come to the cities, armed with a good moral education and well-disciplined minds, and well-established habits, and who move under the eye of some senior friend, or are restrained by religious responsibilities, achieve the object which they seek, if reason is used in their calculation of results. But so many come because they cannot dig, and are ashamed to beg, come with no fixed principles of piety or sound sense of justice—come to accept the first proposition of employment, or fail to get that proposition—that there is

always in our cities a most frightful number that, wishing they had staid at home, are yet ashamed to return for their "husks," and continue to fall from riotous living into degraded crime, and mingling with the equally unfortunate and fallen of city birth, go to make a considerable portion of that class for which this Society labors, and by whom the criminal courts are crowded, the cells of the prisons filled, and the taxes of the people, the rich and the laboring, are augmented.

A hint, valuable in the United States, may be derived from one fact set forth in the French Reports for 1862, viz: "That the number of convicts have been on the increase since the introduction of railroads. Not, of course, that railroads are necessarily promotive of crimes, but because they have tended to draw from the agricultural and small manufacturing districts an immense number of persons who, at home, continued to earn a decent living, or, at worst, to keep away from crimes, that would demand penal confinement while in Paris, whither they rush for what they may chance to gain by unusual industry, or what they may obtain by an enlarged exercise of not very creditable talents; they come to misery. \* \* \*

If any man will examine the inmates of the County Prison of Philadelphia, he will be satisfied that a very great number of the miserable creatures have rushed to the city in the vague expectation of something "turning up" to their advantage; but they soon find that what was deemed masterly sharpness, in a village, must, in a large city, yield to the vast superiority of well-practised art, and detection soon follows attempts to do wrong, and

the failing exploiter soon finds that he has been made the dupe of his own vanity, and the tool of experienced knaves, who qualify him for their service by securing his arrest, and bind him to their association by some power they may have exercised in securing his release.

It is wonderful how every calling of life, how every branch of industry and of idleness is filled in a city, and how much the young aspirant from the country finds himself, or herself, disappointed in the expectation of success. And, perhaps, those who come with a determination to succeed, to a certain amount, by the adoption of the lowest, most vicious means or pursuits, make the greatest mistake and endure the keenest disappointment. The prison cells of Moyamensing reveal the mortifying fact, that even the country female, who has come to the city to enjoy the advantage of impurity, finds herself painfully disappointed in the results. There are arts in vice as well as in virtue, and there is a skill resulting from practice and association, that is as necessary to success in vice and crime as in virtue and honest employment, and hence the prisons of Philadelphia are crowded with young persons whose vanity, whose love of idleness, or whose zeal for gain is zeal without knowledge, have called them away from the quiet of the rural parts of the State, and whose want of knowledge of city ways, and especially those whose want of sound moral principles make them ready yielders to unfavorable circumstances, and victims of the smallest efforts of those who have more acquaintance with the bad ways of the city, and especially expert in evading arrests or shifting charges of wrong-doing from their own shoulders to those

of persons who have become their tools and victims. "Like causes produce like effects," so far as circumstances agree, and what is true of Paris prisons, with regard to the whole of France, and of the London prisons, with regard to the whole of the British Isle, is true of the prisons of Philadelphia, with regard to the whole of Pennsylvania, and, probably, the prisons of most of the Capitals of the old States of our Union, with regard to the whole of those States.

This *fact* is likely to exist; we can't prevent it; but we may, by exertion, mitigate the evil, with regard to the unfortunate prisoner, as well as in reference to our community; nor need we overlook the interests of the agricultural or mining regions, which suffer by the unnecessary draft upon a population that might honestly multiply the harvest of corn and potatoes, and increase the production of coal and iron, if they were kept out of the city, where they only consume the fruits they ought to have raised, and ruin themselves and others by dabbling in stocks that represent neither coal nor oil. Of the class that comes only to fall, poor moths of society, the sooner they are forced or coaxed back to the kitchen or field toil, the better for them and for all. They assist to augment the evils of a great city, and produce a plethora that is dangerous to the whole system.

Mr. Jefferson says: "Great cities are great sores." Perhaps a "sore" is, in some cases, a necessary evil. Cities are certainly an aggregation of social humors, to which tend some of the worst secretions of the whole system. 'Squire Shandy regarded the Capital of a country as its head, towards which there was a constant tendency

of the public humors, and, if they rushed too strongly in that direction, there was danger of a derangement of the system, if not of apoplexy. Morally, this *rushing of blood* to the commercial capital, where there are usually quite a sufficiency of *bloods*, is productive of injury—of crime, here, as well as in Paris and London. And it is to be noted that the withdrawal of these particles from other portions of the body, making plethoric the head, does not purify the system, does not benefit the locality that yields its material. Unfortunately, while the city derives its numbers from the rural districts, the latter catch their manners, and finally their morals, from the city, and when the whole head is sick then the whole heart is faint,—when the brain is disturbed the extremities become paralyzed.

This hint, which we have sought to impress upon the minds of our readers, is important, and, perhaps, parents in the country who think that there is no field of action worthy of the talents and acquirements of their sons, will come to a conclusion that it is more profitable to be cutting well-filled oats on farms enriched by their sweat, tilled by their labor, and made doubly productive by their agricultural science, than to be sowing wild oats in the great cities. The harvest of the farm's product is gathered into garners that are safer and richer than banking-houses and store-houses,—the sowers of city tares are usually garnered into the County Prison, that common depository of the instruments of city husbandry, the *rakes* of the town, and the tools by which the established swindler has plowed wickedness and reaped iniquity.

## BAD BOOKS.

With no intention of extending these remarks to any argument, we think it appropriate to place in the list of disturbing causes the prevalence of "Bad Books" of immoral, seductive, undermining, ruinous reading. Years ago the genius and learning in a considerable part of Europe were employed in arguments against revealed religion, and in ridicule of all modes of worship and social obligations resting upon inspiration. How horribly successful these efforts were, the state of morals in Europe, and the open profanity in many parts of Christendom, fully illustrate. A reaction resulted, and religion once more came in fashion. But the pestilent works that assisted in the production of this evil remain to poison the new literature that succeeds it. It is not the mode of dealing with the public mind, in this generation, to assail religion directly, to denounce its ordinances, and ridicule those who seek to conform to them. No one now writes a book to disprove the existence of a God; no one now seeks to earn distinction by attacks upon religion. But books are written to weaken dependence upon religious truth, and to make the young believe that enough is done when outrage to established morals is spared. Stories are circulated in type that excite curiosity with regard to vice, and gratify that curiosity by making vicious. Scarcely one of these writers closes a chapter without some applause of religious truth, or begins another without violating, in hint and

narrative, every sense of religious and moral propriety. The world, after the first shock, had virtue enough left to rally against the bold, open attack of Atheism, though society has not yet recovered from the consequence of that attack ; but this siege of the public mind has been steady and regular, and the young are flippantly moral and fashionably religious. They are, by bad reading, weaned from a common-sense view of what concerns the ordinary affairs of life, and from every sense of responsibility for opinions by which actions are to be governed, and for actions that are not directly and openly antagonistic to the command of Scripture.

The extent of this evil is much greater than is supposed, and its commencement dates much farther back than even many thoughtful people imagine. But its prevalence is now painfully manifest, and it is difficult to tell how the end is to be met. It is best, however, to understand some of its means and channels of operation, and to see the cause connected with its effects.

At many places where papers are sold improper books may be secretly purchased, and indecency in print has its agents and dispensers as well as science and polite literature. But go to the cell of a common class of prisoners, and it will be found that time is made to pass pleasantly by the use of books that are the pocket companions of that kind of persons, and the taste for sober narrative is destroyed, if it ever existed ; the reading even of the ordinary contents of a daily paper is scarcely durable unless seasoned with some smart police report, or the result of some criminal trial or indecent exposures, with such a statement of the success

of thieves and cheats in escaping public punishment, as will encourage the imprisoned reader to hope for success in future crime.

The evil of bad books is accommodated to all circumstances and all conditions, from the openly lewd presentation of indecencies in which caution uses no veil, to the more guarded exposure of vice of the same character; from the openly blasphemous sheet, to the well-weighed reasoning that finally makes virtue and religion kick the beam.

These sources of many of the streams of bitter waters that sicken society are abundant and unfailing, and the public amusements of the time all seem tending towards the same bad state. It was the wish of Job, in the midst of his miseries, that his "adversary had written a book." Had he lived in these times, he would have been satisfied, for not only would his adversary have written, but the adversary of every other man and woman, the adversary of virtue and happiness, would have written enough to satisfy Job that he could not "take upon his shoulders" either the book or its responsibilities without a danger which no man living in the fear of God and the love of his fellow creatures would venture to assume. Job had troubles enough, but he was spared the affliction of bad books, otherwise the increase of the number of his children would scarcely have been a blessing to his old age.

## REMEDIES—EARLY EDUCATION.

Education, literary, moral and religious, is one great means of preventing the errors of the young, and of amending the lives of the erring. It is of course dependent for its efficacy upon the efforts put forth to make the literary, scientific and artizan portions of that education subservient to the good purposes of life. If a human being is depraved, his education will avail him little, excepting to enlarge the sphere and means of his crimes. Early and continued discipline of the most gentle and the most persistent kind is requisite, and he who would meliorate the condition of society and “alleviate the miseries of prisons,” must understand something, must know something, of the effect of habits on the character of a child or a man. “Man is a bundle of habits,” and what he was when he was young, he is in a greater or less degree when he is old. New circumstances, a change of principles, and enlarged experience, do much, but they only affect in part; the results of each and of all these elements of change are only a modification, not an entire change. The rash fellow whose principles yield to the influence of Christianity, ceases to be a rash fellow—but he is nevertheless a rash Christian. The lignite drawn from the bowels of the earth may, as the effect of those change-producing causes beneath the surface, resemble in appearance and uses the true pit-coal so valued in all its employment, but its

grain is yet unabsorbed, and knotty excrescences show that it was once all wood, and is not entirely coal. We are sanctified in part, and the later the good work is commenced, the less will it effect the whole character; the earlier it is begun, the more thorough, the more entire, the more ineradicable, will be its effects.

Lord BROUGHAM, in one of his Essays on Education, declares that the character is formed at six years of age, and the assertion was denied by many and doubted by more. The elements upon which the character is formed are received at an early age, quite as early as six years. They may not have as yet manifested themselves in their fruits, but they are fructifying, and thereafter the chief business of education and discipline will be to watch and direct their growth, and, if possible, prevent a preponderance of the evil elements.

The education of a child, the formation of its character, however, is, in our opinion, to be begun far earlier than the period mentioned by Lord BROUGHAM, though be it said that he speaks as if the preparatory portion, the real influencing part of the work, was nearly concluded at six.

In seeking how we may prevent the repletion of our prison cells, we must inquire for the causes, and we must not look for them at the door of the prison, nor in the scenes of debauchery, whence the prisoner is often drawn. We must inquire for the first impression, and if we would be successful in our efforts to prevent the evil, we must labor to have these first impressions rightly formed and of permanent character. We must go back beyond Lord BROUGHAM's period, and know, and

use the knowledge, that the formation of the character is begun with the first developement of the mind and the completeness of the character, either for good or for evil, is dependent upon the earliest effort.

The experience of the young child of three years is a kind of confirmation of his vague ideas in earlier infancy, and the nursery cradle and the prison cell have a much nearer relation with each other than is usually imagined, than is dreamed of by mothers who act or talk falsehood to their mistaken offspring. The child, himself, as he grows up, does not recollect the cause of his scary dreams and his weak fear of forms unseen, and mightier far than he!" He has little idea of referring to the nursery the cause of the crime for which he is confined in the Refuge, though he can scarcely tell the time when, with the same temptations, he would not have committed the crime for which he is suffering, or others that are consistent with earlier taste.

We must look far back, very far, if we would detect the cause of the criminality of children, and the causes of the felony of the men, and if we would prevent the evils of that criminality, the terrible results of that felony, we must begin with the mother's breast; she must feed her offspring "with the sincere milk of the word."

Inquiries have led us to this conclusion—inquiries at the cell of the convict, inquiries of the poor lad on his first imprisonment for his hundredth crime, and watchfulness as to the course of those whose course we could trace from the swaddling bands to their chains on the gallows. But the want of official reports by competent

persons leave us without authority in this State. But yet there is one statement in the reports relative to the French prisons, from which we have, in another part of this journal, given extracts, which wonderfully confirms our ideas, and warrants our assertions of the importance of early, the *earliest* training of the young mind, and we call attention thereto.

It seems that at least eight thousand children from six to sixteen years of age, are annually tried and sentenced to imprisonment in France. Of course the kind of imprisonment is dependent upon the age and capacity of the prisoner.

Now mark, here is the sixth year (Lord BROUGHAM's period) given as that when the culprit is supposed to be capable of judging something of the character of his act—judging at least enough to make him accountable for its criminality, so that the mind must have been responsibly active long before.

Of these young prisoners, many are in some degree improved, many are hardened, and evince no appetite for good; many are born illegitimate, and have had little or no parental care; many are children of those who are inmates of the higher prisons, or deserve that situation; many come from schools; many from the frequent and perhaps regular attendance at their places of religious worship; many of them have made their first communion, as is mentioned in the report, yet, with all these last named favorable circumstances, they come by thousands to the criminal tribunals, and to the cells of the prison, and depart to finish their bad course.

But mark the other statement. There are in France numerous establishments—"Foundling Hospitals," Convents, and "Houses of Mercy"—where the infant, even the new-born infant, is received; one sent to hide the shame of an erring mother; another to save the cost of maintaining the child—all to be taken care of, and brought up in the manners and customs of the place. Many thousands of these children are annually received.

And yet the Report says that the number of the class of illegitimate and legitimate orphans that reach the prisons of France from these asylums, is so very small as to be unworthy of mention. It may almost be said that none of these foundlings, received in early infancy, and reared with religious care, ever fall into those crimes that are punished by the sentence of a criminal court.

Do our readers comprehend that lesson? Do they see what is taught therein? Do they recognize the great lesson which it conveys to every mother, nurse, and friend; to every man and every woman that would diminish crime in society, and alleviate the miseries of prisons?

We have rarely met with such a convincing and instructive statement, and we commend it to the attention of all who would bless society by the infusion of sound morals. In our opinion, such a fact as that which we have drawn from the French Reports is of the highest consequence, and should teach parents, mothers especially, to feel the vast responsibilities of their high office, and should encourage the conductors of "Homes," Or-

phan Asylums, and foundling institutions, to labor early and hopefully.

This early training is not a new idea, only not frequently carried out. The work of *education* is continually going on, only it is going on without any special observation. The plastic mind of the little one is being moulded from its birth, its temper excited or modified, and its appetites directed correctly or incorrectly ; and as certainly as a day closes, so certainly has some effect been wrought upon the child—not great, and perhaps not then perceptible, but really and effectually ; and when the little one, “mewling in the nurse’s arms,” evinces a trifle more of what is called temper than is deemed pretty or good, the work of mischief is aided by additional irritation, and a partial attempt at correction only disturbs the early impression, and the spirit of the child is “mackled” by spasmodic attempts to amend what has been going wrong during the while of its short existence.

The mothers who followed the great Author of Christianity and His comforting doctrines, understood the value of the earliest impression upon the minds of their offspring. They brought young children unto Him, and He who knew the human heart, He who knew as well the experience of the child as of the man, rebuked the interference that would intimate that even “infants” are too young for instruction.

We respectfully commend to our readers, to those who look to efforts to correct general morals, in order to “alleviate the miseries of public prisons,” to consider this idea. Most true in this regard is the Latin proverb :

*“Bis dat qui cito dat.”* Certainly he gives twice, he gives amply, he gives effectually, who gives soon and early to the infant, the impress of good sentiments. The asylums of the erring boys and girls of France afforded ample supply of convicts to the various prisons of the empire; but the Director of all the prisons for thirty-three millions of people, looked in vain in the “penitentiaries,” “houses of detention and correction,” and the “agricultural prison,” for a single graduate of the asylums, foundling hospitals, and convents, into which only the *very* young are received, though there the foundling is usually the child of shame and misery.

He who would prevent crime is greater than he that would punish the offence or reform the criminal, rare as is that last great work; but he who would prevent crime extensively must begin in season, and forget much that he has heard about years of discretion and seasons of accountability. Bad acts are earlier than crimes, but they are as certain to become crimes as the actor is to become accountable. When the particular moment, the period of accountability, arrives, we do not know, at different ages, with different persons, and with different acts; but certainly the season of moral responsibility precedes that of legal accountability, and the character and proclivity of the mind is established much earlier than is usually supposed. At all times somebody is responsible for the act of the child. If late, the child is legally accountable for its own act; if early, she who, by bad acts or culpable neglect, fixes the wrong in the child, is morally responsible—responsible not only *then*, and for that little error, but **ALWAYS**—and for all the

mighty evils that may spring from that early fault—accountable for the disregard of honor that may stain the character of the statesman, and disgrace a national Senator—accountable for the recklessness of guilt that gives bad eminence to the unreflecting villain who comes to man's worst use and most disgraceful end, the gallows.

## PART FOURTH.

---

### ADDITIONAL SUBJECTS.

We desire to say here, that in this Journal, no attempt is made, beyond the simple "report" of proceedings, to complete any analysis of a subject, or exhaust the argument. They are presented from time to time, from year to year, as circumstances may suggest, and are discussed only in the light in which any event may present them. They are pertinent to the labors of our Society, and those who best understand them will be the best able to direct or advise the works of our committees.

It is a terrible mistake, in many, never to look beyond the error which they condemn as hurtful, to the causes which are prolific in bad fruits. This is tampering with symptoms, or with manifestations, when the disease itself is working death. We have seized upon some of the causes of the crimes which produce crowded prisons, but not with entire fulness. We desire to point out what our experience presents to us as the causes of the moral plague by which the community is beset. Let others follow our suggestions, and discover additional causes aiding to produce the same effect; or let them

deal more at large with any of the particular causes which we point out, and thus quicken public inquiries and ensure correction.

We have also referred to some remedies, not because we suppose that they are specifics, but because experience tells us they are good in such cases. Nor do we suppose that the man of true social science is to pause upon a prescription of remedies and confine himself to the single dose. There are other means of prevention, and some of cure, and there must also be persistent efforts to present those means. They must be amplified. They must also be repeated. They must be reiterated. They must be exhibited with earnestness and discrimination, carefully and steadily; they must, in the language of Scripture, be offered "Precept upon precept, precept upon precept; line upon line, line upon line; here a little and there a little."

We would, in this way, instruct, if we can, but especially would we suggest.

In the division of this year's Journal, which succeeds, we shall offer a few remarks upon subjects, some of which, while they belong to the scope of our Society, are in the administration of others. They touch upon the great subject upon which we associate, but they are not entirely the *work* of our committees. They are presented, however, that each subject may occupy the minds of philanthropists, and exercise the faculties of those who are able and willing to labor for the good of the less gifted or less virtuous of their kind.

We must not, however, forget that what is done for the correction of error, for the restoration of the lost, for

the improvement of the neglected, the instruction of the ignorant, and the repentance of the wicked, is so much done to society at large, so much done to the cause of humanity, of general morals, so much done for piety and patriotism.

We regard our Society as co-operative with the hundred philanthropic institutions in our city, not in the same channel, but with the same flood; not always upon the same persons, but always in the same cause; not usually with the same means, but always to the same ends. "To clothe the naked is not to visit the prisoner indeed, but the same lofty motive, and the same glorious compensation connects the charities; and it often happens that he who sees his fellow-man in prison, and faithfully ministers to him, is in the discharge of all those offices which are recommended with encouragement and reward."

---

## THE INSANE.

On the subject of the insane, we have nothing further to add to our former observations, beyond the statement of the fact that, while the various institutions for those afflicted with mental malady continue to be nearly filled, some of them, the largest in the country, crowded, there is still a want of a retreat for the insane—those who may be suffering that terrible visitation, under every

circumstance and form—and not only for the rich and the poor, the highly-connected and the friendless, but for those who, having been convicted of the violation of the laws of the Commonwealth, manifest decided aberration of mind. We must not confound insanity with crime, even though insanity be the fruit of crime. We must so understand and so administer our penal laws as to make it evident that we mean to improve as well as punish, to correct as well as imprison. And certainly no such idea could be involved in the imprisonment of an insane man. We hope, therefore, that the time is not far distant when the State will provide places of retreat for all the insane who must depend on public aid for comforts, and places of appropriate detention for those criminal insane whose afflictions prevent them from comprehending the nature of those crimes for which they have been tried, and of which they have been convicted.

There is one other reason for a State asylum for the insane man charged with crime. A recent Act of Assembly, in this State, provides that, when a prisoner is charged with a heinous offence, especially with homicide, his attorney may, if there is appearance of aberration of mind, elect to try him upon the charge of insanity, and, if that is proved, the prisoner must be held in confinement until it shall be shown that he is sufficiently restored in mind to be the proper subject of a trial for homicide. Now what is to be done with a class of such prisoners? Surely the provisions which we ask for the criminal insane seem to be those that would be required for the insane accused, unless, indeed, the new enactment

is to be used as means of defeating justice, which, of course, we cannot suppose.

There is, often, considerable difficulty in distinguishing between absolute insanity, as a substantive disease, and that derangement which is immediately consequent upon hard drinking. Yet it would be better to send the rum maniac to the almshouse than to send the unfortunate insane to the prison. And humanity is concerned in the correction of the evil which now exists, not by any fault of the magistrate, but by a deficiency in the laws, which they are to execute.

It is true that, in this city, a certificate of the physician may often ensure the transfer of the sufferer from the prison to the almshouse; but that will not save the unhappy patient from the shock which the place and its associations are likely to produce.

Only those who have given much attention to the progress of mental disease, and its effects under various circumstances, can judge of all the evil produced by sending, to a common prison, a human being who is laboring under any form of insanity. Of course the effect is different upon different persons. The morbid state of the mind naturally magnifies the outrage, and the person who enters the cell only a little deranged becomes, suddenly, a maniac of alarming power of mischief. Or, shocked at the idea of association with felons, or the occupation of a place destined to criminals, the disease passes from the hopeful state, in which it usually exists in the earliest stages, to that of settled insanity; and the loss of reason to the sufferer, and the loss of the sufferer to society, are the consequences of the unchari-

table, the inhuman treatment of the patient, the *patient*, not the *criminal*.

The directors of the asylums must be rich in the experience of the various forms of insanity, and with scenes and language to which the different mental proclivities of their patients give rise. These scenes are, of course, much modified by the kind provision and ministration of a well-ordered asylum or hospital. So, too, they are made more painfully intense by the aggravation which the disease receives from all the surroundings of the deranged occupants of a prison cell. At times, violent rage, at the disgrace of imprisonment is manifested; sometimes violence to others is threatened; sometimes the mortification of the sufferers manifests itself in attempts upon their own lives; often long-forgotten quarrels are revived in the memory, and the battle mentally re-fought. Sometimes scenes most distressing to the sensibilities of all are presented, and at other times the cell is made the theatre of acts that strike the occupants with awe.

Only a few weeks since, one of the Inspectors of the County Prison was going his rounds, and on opening the door of one of the cells, he was struck with the appearance of awe which was manifested by two females, whose "manner of life, from their youth up," had not been of a kind to create much respect for holy things or sacred associations, yet they stood there spell-bound, while in one corner of the cell was a female of general good looks, with her countenance marred by grief, and her position that of deep humility. She had arranged her dress so that it resembled a Roman toga; her head was bound

round with a dark fillet, disposed somewhat like a coronet, and resting in her arms was a stick, held like a sceptre. She had assumed the dress, appliances and position of the Saviour, as some great artist has represented Him in the great painting of the *Ecce Homo*, when he was arrayed in mock majesty before Pilate. She was dumb; she opened not her mouth; while she and all upon her assisted in the illusion, and enforced upon the awe-struck companions a consideration of the original represented to them daily, in most of their books of devotion.

The poor sufferer had other means of showing her insanity, but none that produced such an impression upon her companions, who, while they were aware of the unhappy situation of the prisoner, never seemed to forget that scene, and never failed to allow its impression to influence their conduct towards her, even when her actions were of a less impressible character.

In such a scene as that which we have mentioned—and it is only mentioned to illustrate the idea of the utter inadaptability of a county prison to the wants of an insane person—we see how the feelings of the insane person may be so shocked that the greatest care of the most accomplished mental physician might be made unavailing to cure.

It is not known that there has been any amelioration of the condition of insane paupers in the County Alms-House, consequent upon any legal enactments; and we have no reason to think that any new provisions have been made in their behalf. The Mahomedans regard, with especial favor, the man whose reason has been dis-

turbed, and devote extraordinary attentions to him on account of his condition. We certainly do not think, then, Christianity is exemplified in the neglect of kind attention towards the insane, whose poverty makes them friendless.

---

## SOCIETIES OF PATRONAGE.

The returns which are made to the acting committees, of the expenses of the Agent at the County Prison, and of the report of the action of the Committee on the Eastern Penitentiary, do not show how much this society, through its agents, committees, and individual members, expend upon discharged prisoners, nor is it, perhaps, desirable that the full sum should be known. Certainly it would be most unpleasant to those contributing directly, to have their efforts at good blazoned abroad. It is gratifying to know that something in this way is done to aid the discharged criminal, and assist him to procure a living for himself, to establish a standpoint upon which he may make a manly effort to place himself in the ranks of respectable society. Of course the most of this kind of good work is done by the Committee on the Penitentiary. There the separate cell insures thought and produces promises at least of amendment, and long absence from the world and its associations weans the convict from a wish to associate with the former partners of his misdeeds. He is helped forward, and often continues to advance.

At the County Prison much is done to help men to their home, or to help them to live till they can obtain employment; and a considerable sum, in the aggregate, is spent by the visitors in this good work. And we ought to add that the law allows the Superintendent of the Prison to grant small sums—from three to five dollars—to retiring convicts, and this is bestowed with much discrimination by that officer, while the Agent of the Society often adds a little in the way of money, clothing, and a railroad pass. This is done especially to females, who have no chance of obtaining money by overwork.

In France there are societies in existence, especially in Paris, known as “Societies de Patronage;” and in the Reports upon French Prisons, of which we have made such copious abstracts, particular mention is made of the action of these societies.

After stating the number of young persons that had, on leaving the prisons and other penal places, returned to their families, or had been placed with citizens as apprentices or servants, the account mentions that of about 10,000 liberated in five years, 354 had been confided to the *Societies of Patronage*; and it thus speaks of these last named institutions.

“It is to be regretted that these societies are not more abundant in France; that there might be extended to a much greater number of young prisoners the excellent effects of their patronage and care. The “Society of Patronage of the Seine” (that is of Paris) is the one that has obtained the best results. It is most desirable that the founder of this institution should find imitators. The difficulties resulting from the clashing of the patron-

age of the society with paternal authority, have probably retarded the progress of this important means of improving the young. It is believed that plans for removing this difficulty will be immediately adopted, and every considerable city in France be made the centre of such a patronage for its own department."

Under different names, the work of the "Society of Patronage" in France is attempted in this country. There is a specific association in Massachusetts for the particular purpose of receiving the convict as he is about to leave the prison, and assist him in obtaining employment, and to watch his new course in society. In Philadelphia the work is a part of the labors which the "Society for Alleviating the Miseries of Public Prisons" assumes, and which it, in some degree, discharges; but while it is not able to do all the good which it desires, it of necessity is compelled to leave unrecorded and undisplayed most of the good which it does accomplish, lest the publication of the circumstances should draw painful attention to the object of its charitable labors.

It is a great object of the system of separate imprisonment, that the convicts shall not know each other in prison, and consequently that when released they shall not exercise upon each the dangerous power resulting from a knowledge of their crime and punishment; that they shall not, abroad, prevent the fulfilment of good resolutions by exciting constant suspicions in the public public mind. All who have looked to this evil of the released convict comprehend its terrible extent. Almost all can cite instances of the utter shipwreck of the good intentions of ex-convicts, by the sudden appearance of

some companion in imprisonment, whose enticement, or whose threats of exposure, or whose forced companionship, have alarmed the society in which the repentant criminal had taken refuge, and thus driven him forth again "to prey at fortune."

Not the less dangerous, perhaps, would be the ostentatious patronage of a society, or its members, who should, in the exercise of their benevolence, ticket the object of their charity as a repentant felon and the ex-inmate of the penitentiary, and ask the community to trust him with the care of their valuables. The good, then which this Society in Philadelphia can achieve, and which it does achieve, must remain unrecorded; or if the facts of the case are such as to admit of partial exposition, the authentication of circumstances of name and location must be withheld, to the diminution of interest in the statement, and of credibility in the narrative.

We need large means and additional numbers to carry out the good plans of the Society in this direction. Especially is there an effort needed in behalf of female prisoners. Much good is done every year for the prisoners who are leaving the penitentiary and jail—much that does not admit of record; indeed, little of that work will allow of exposition; but more remains unaccomplished, and the repentant convict returns to the haunts of vice, not from the prison, but from the vain attempts to establish only that degree of confidence which insures employment; or, having obtained employment, he shrinks from the ill-concealed suspicion or occasional reference to the his past history, by the

unconvicted, and seeks the association of those who cannot taunt him with his crimes nor sneer at him for his imprisonment.

The poor erring female is most in need of this species of patronage. She knows the estimate which her own sex sets upon her errors and derelictions; she knows how fatal to all her hopes is the exposure to which she has been submitted in her trial and punishment, and she has no such confidence as the erring man possesses toward her own sex, and indeed towards the other. She would, if she could, hide from the world the fact of punishment—perhaps never again commit the offence that called for that chastisement, and blot out the months and years of her crime and their consequences. But the female who is seeking confidence must account for all the time, and the world will believe that every *hiatus* in her confession is to be filled with a statement of errors. This class of persons needs assistance. They do obtain some, but there is less than their circumstances require, less than charity suggests, less than the full measure of alleviating the miseries of public prisons demands. The work is always repulsive, often thankless, frequently a failure with regard to its object, but it is always a *duty* of charity.

The Visiting Committee to the Penitentiary have done admirable service in this way, and we have in previous years referred directly to some instances of wonderful success. It is, however, much easier for the male than for the female convicts to succeed in re-establishing themselves, and it is less repulsive to labor for fallen men than for fallen women.

But we must repeat that some most beautiful and consoling instances of complete reformation and success have attended the efforts to reform females, and were it not for impeding the good work, interesting accounts of the progress of the reformation, and the triumph of principle, and the great reward, would be given in this report.

The permanent good wrought for female prisoners has been, almost without exception, the result of careful watchfulness on the part of some friends, and the assurance, that in case of difficulty, (without crime) the repenting person should have a friend.

We will not close these remarks upon the duty and success of efforts to assist the *retiring* prisoner without a direct reference to the labors of the Committee on Discharged Prisoners, and, in doing this, we make known the fact of a new element of prison population. Peace has sent home thousands to return to the discharge of the duties of life, to resume their places among good citizens, and be a good part of that Nation that they assisted to save; but with them comes a smaller number, who seem to have forgotten their duties to themselves and to society, and to have become unprofitable servants.

We copy a part of a report, and invite thereto the attention of the reader.

In our visits to the newly-admitted prisoners, within the same period, we find ninety eight, sixty-seven of whom are from the country jails. Of the whole number, fifty-nine have been in the Army or Navy. Of the last twenty-eight admissions, eight-tenths are of that class, on whose account our feelings have been deeply enlisted. They

appear to be, nearly all, first convictions. In conversing with them it is admitted that the moral hedge has been weakened by the Army associations and practices;—through the frailty of our common nature and want of moral courage, they have fallen. It is a painful reflection that men, who have perilled their lives for the stability of our Government, should be brought into this situation, some having long sentences.

It is suggestive whether something cannot be done to alleviate their condition. When we reflect that every State in the Union has contributed its quota to this class, and that they have been returned there, respectively to be disbanded, it is reasonable to suppose that all of the State Prisons in the Union will make a similar exhibit to our own. Most of these are young men, who, in their separate cells, removed from the surrounding influences which have led them astray, their early associations and domestic ties are revived in their mental vision with feelings of renewed tenderness, presenting an opening for the Christian philanthropist to call their attention to the spiritual warfare, inviting them to enlist under the Banner of the Cross of Christ, the Captain of our salvation, who was never foiled in battle, and who will lead on to victory. We feel constrained to suggest to the Acting Committee, that a committee be appointed to take the subject under consideration, in order to digest some practicable plan of communication with individuals who reside within the limits of each State Prison, whose feelings are prepared to enter into the labor, whether it be through the Inspectors, Wardens, &c., or the religious community which surrounds them, or the whole combined, as they, in their judgment, may propose, in order to carry into effect the greatest amount of usefulness.

JEREMIAH WILLETS,  
GEORGE TABER,  
JOHN J. LYTHE,  
*Committee.*

## PHILANTHROPIC INSTITUTIONS OF PHILADELPHIA.

When taking a survey of the means of preventing vice and crime, and those of reforming the vicious and the criminal, we are often struck with the wonderful fecundity of the City of Philadelphia in institutions for such noble purposes, and a volume might be formed of simple descriptions of these various establishments; and many volumes could be filled with statements of cases of those who have been greatly benefitted by resorting to some of them, when the provisions of the house had a particular reference to their case. Of course, our city has its prison, where improvement is combined with punishment, and has its vast number of public schools, where secular education, for almost all practical purposes, may be obtained. It has its asylums for the insane, and its immense almshouse; but the number of what are called humane institutions—asylums, retreats, refuges, &c., &c., in Philadelphia, probably exceed that of any other city on this continent.

Here scarcely any want, resulting from any accident or vice, from misfortune or crime, is without its means of supply. And scarcely any condition, to which misfortune may reduce the child, or the adult, is without its primeval or temporary means of amelioration.

The Foundling Hospital of St. Vincent de Paul, in Eighteenth street, above Vine, receives the infant that

is destitute of maternal assistance; and Homes, of various names, are open and well-conducted, for children a little older.

The erring female, who would retrace her steps, or reform her life, may retreat to the Magdalen, to the House of the Good Shepherd, or to the Rosine, where gentleness and watchfulness will encourage her reformation, and time and opportunity ensure her improvement. Too little of these admirable institutions is known. Too few are found to recognize the claims of a fallen woman, or to interest themselves in aiding her to profit by the means which Christian Philanthropy has provided for her succor and reformation.

The Howard Home receives those who need employment, and are not unwilling to work for others, till a place can be found where they can work for themselves.

Day by day we see notices of some new society established to supply an existing want, and it is to the honor of the men and women of our city that few of these efforts for the benefit of the destitute ever fail.

“The Society for Alleviating the Misery of Public Prisons” may not appear to have any direct connection with such institutions as those to which we have referred, and yet they are all co-workers with our Society, as means by which our Society effects a portion of its good. We may hope that the infants reared in the asylum of St. Vincent, and in the Homes for Children, in different parts of the city, will be found, like those reared in similar institutions in France, to contribute little or nothing to the statistics of our penal houses. Good so early diffused

must have a powerfully beneficial influence on the life of the child, and the conduct of the man and woman, and thus aid in diminishing the number of prisoners.

The asylums for the older children, while working with less chance of permanent success, must save many from falling into vice.

The House of Industry affords shelter for those who have, by want or folly, been compelled to endure a little imprisonment, and need some refuge between the prison-cell and the call for labor. The Agent of the prison knows the value of this and similar institutions, and hence the purposes of his appointment, by conducting thereto those who would do well if they had the means.

The old established Orphan Asylum in West Cherry street is a nursery of goodness. St. John's Orphan Asylum, at Hestonville, in this city; St. Joseph's Orphan Asylum, corner of Spruce and Seventh streets; one recently established in Germantown by the Lutheran Church; the admirable home for children the Burd Asylum, are among those institutions that most favorably affect the mind and character of our youth now, and the men of the next generation.

These, with the numerous similar institutions sustained by private and public contributions and which go to make up the beautiful character of our city, must in time have a powerful influence, not of course to rid our city of vice—that, we may not yet hope for—but to keep down the scale of virtue when otherwise the balance might be against us.

The two Houses of Refuge are under the present ex-

cellent management, fulfilling the expectations in which they were founded.

There are schools in the city, maintained by private contributions, that take from the street those that might run into vice and crime, or at least would grow up without the benefits of a sound education.

We did not intend to refer by name to the many charitable institutions of our city, not even to as many as we have noted above, and which are only a part. We have not space for a full examination even if we were acquainted with all, which we are not. It would be a science itself to know all the charitable, philanthropic and beneficial institutions of Philadelphia.

With almost all these institutions of charity this Society has an intimate relation or feels a deep interest. They afford opportunity for carrying out the views of our committees; and the Agent of the Society seems in some respects to be the minister also of these houses. The mother who leaves behind her at home (what a home!) little children, while she is expiating her error in prison, is comforted with the assurance that the Agent has conducted these orphans to some retreat where, decency, comfort, sound morals, and good manners, prevail.

The wretched woman that would escape the temptation of her former life, and the danger of her former associates, is provided for in some one of these institutions established especially for the repentants of her class. And almost daily the Agent is seen conducting or directing some retiring prisoner toward the institution that best suits her and her wants; and where a sort of

quarantine may be performed before society is again entered.

Our community is justly proud of these monuments of goodness, these homes for the homeless, these retreats of the repentant, these asylums of the decayed old, these schools for the helpless young. Thousands contribute to these funds who know nothing of the beauty of their operation. Hundreds of thousands are incidentally benefitted by their existence and administration, who scarcely know of their location. They purify the moral atmosphere, not by tempest and storm, but by withholding and withdrawing the elements of impurity.

These societies are not, indeed, the offspring of the "Society for Alleviating the Miseries of Public Prisons," but they work so in harmony with the principles that guide us, that we, as citizens and as philanthropists, should rejoice in their prosperity, and, as members of this society, should acknowledge and applaud the sanctified zeal of our co-worker in the cause of philanthropy.

---

## PRISON SHIPS.

Are the means now in use to punish and reclaim refractory and guilty children, especially boys, sufficient to the wants of the State—especially are they sufficiently varied? Much has been done in this city for the reformation of young offenders. The Houses of Refuge have

operated most beneficially in the way for which they were designed. Black and white, male and female children have been reclaimed from vice, and made useful citizens, by the wholesome discipline of the house, and the careful attention of those who looked after them when they were sent to a new home. But abounding as are the streets and alleys of the city, and as are the very fields of the suburbs, with bad boys, it is evident that, with whatever zeal and efficacy the directors of our Houses of Refuge labor, their means are insufficient to the work. The harvest is great, and unfortunately it is ripe, but the laborers are few for the *good* work, (more are required for the bad.) There seems to be a proclivity to vice, and thence to crime, in a vast number of the young, and they are creating a sort of status and a special atmosphere for themselves, which seem to keep the wretched creatures beyond the influences of the good which the philanthropic are seeking to exercise towards them; and they are not only so many lost to society, but they are so many promoters of vice and destroyers of virtue in others. A calculating man once remarked, when looking at his empty bottle after dinner: "There are two dollars gone, with interest, forever." And so in regard to these young scamps, not only is each one lost to society, lost to the labor and good which he might perform, but the whole influence of his bad life is against the community and corrupting to others; his life and its effects are all a dead loss.

In France, as will be seen by reference to our abstract of French Prison Reports, there are "Agricultural Prisons," places of penal confinement to which those who

have violated the laws are sent, and made to do garden and farm work ; and especially is this species of punishment or discipline applied to boys and girls under sixteen years of age, and it would seem that much benefit has resulted from this mode of employing the young offender.

In Massachusetts similar attempts have been made with some success ; but there are circumstances in this country which render final or full reformation less probable from agricultural prisons than in Europe.

The experiment of a Ship Prison, or a Reformatory School for boys, on board of a ship, has been tried in Liverpool, and is likely to prove advantageous. We know that, in this country, boys have been sent from the Reformatories and Houses of Refuge to vessels going long voyages, and, in many instances, on board whalers particularly, there has been success. But the lad who leaves the Refuge for the ship, knows nothing of his real taste for such a life, and has no experience in the duties and mode of living on ship-board, that would soften to him the first month's hard usage and rough fare. We do not yet know enough of the result of the School Ship in Liverpool, to base any argument on that experiment. But it is certain that there are as many inducements for such an undertaking in this country as in Europe. Before the late civil war, the tonnage of the mercantile marine of this country was about equal to that of Great Britain, and, of course, demanded the same immense number of seamen. We have here a vast number of young men who evince an early fondness for a seafaring life, and thousands "go to sea" who have no special taste

nor preparation for that pursuit. It thus occurs to us, that in the multitude of means thought of to make the bad boys of the city do some good for themselves and society, at least to withdraw them from their haunts of idleness and vice, and keep them out of the way of mischief, and from giving mischievous example, we might regard with some favor an attempt to establish a Reformatory School on board of a ship, where one hundred, or ten hundred boys might be placed under the charge of men conversant with the duties of keeping and navigating a ship, and be instructed in all that makes a sailor, and qualified for the quarter-deck by a thorough knowledge of "navigation" as it is practised on board our largest ships.

Congress is constantly implored to make some law by which the number of seamen could be so augmented as to ensure to our commerce a competent number of sailors to man our ships. Apprenticeship of different kinds is proposed, and some of the plans seem feasible. The fact that any such plans are suggested, is a proof that the proposed results are greatly needed. And one or two Prison Ships, into which a certain class of boys could be put, for regular ship discipline, and regular seaman-like instruction, would soon afford a part of a most desirable supply to our ships. It is true that some of the materials from which these sailors are to be made, are not of the most desirable kind, in the way of morals. But we have a right to expect much from wholesome regulations and sound moral instruction in the ship; and if it should happen that some of these apprentices or scholars should not be all that is desired

of them in the way of morals, it is probable that the most of them will be quite as good as most of those who ship in our seaports, with no responsibility to friends and relatives, no sense of home comforts,—whose conduct is constantly provoking the hard treatment of which they complain, and whose bad principles are manifested in the frequent mutinies that mark the recent history of our mercantile marine.

The war made sad havoc in navigation in this country: the carrying trade was forced into the hands of other nations, and the ships, with whose tonnage we five years ago outnumbered or equalled that of Great Britain followed the trade—they passed into foreign hands. The new state of things will multiply American ships and bring back the carrying trade. And with these restorations we should have an additional number of seamen, and the supply must be constant and perpetual.

The subject is one that deserves the attention of philanthropists, to whom we recommend its consideration. We do not now recommend the plan, only the consideration of it. Something more must be done than has yet been undertaken. And it may be of use while we point to the evils abroad, and show almost incalculable multiplication thereof, that we also suggest means of remedy at home, where we are most concerned.

## DISCIPLINE IN PRISONS.

It was intended to devote one chapter of this year's Journal to a consideration of the subject of "Prison Discipline"—to the character of punishment, its duration, and its incidents; but the unexpected length of the abstracts and notices of foreign Reports leaves too little space in which to do justice to so important a branch of a subject of legitimate inquiry and investigation. We find, in some of our reports, discussions upon the amount and character of punishments of prisoners for violating prison rules; and while these discussions are provoked by instances of what, by the writer, is called cruelty, it would seem that other modes of treatment are justified, that are not less cruel; and the practice of some prisons is marked by an abolition of one kind of severity, and equally marked by the use of another. One prison takes to itself great credit for abolishing the punishment of "bucking" as a cruel treatment of a human being, while, at the same time, it shows its approval of sound flogging by the use the cat-o-nine-tails, "well laid on." We may hope, however, that humanity, which has triumphed in the terrible severity of bucking, will be equally successful when, in the progress of kindness, she makes an effort to free the prisoner from the punishment of the cat,

"Which Mercy, with a bleeding heart,  
Weeps when she sees inflicted on a beast."

Every form of prison discipline, almost, has been alle-

viated in respect to the evidences of a better-feeling in the public, and in the discovery of good-feeling lurking in the prisoner. The freedom of the cell, at least, is permitted now, where, formerly heavy chains added to the gravity of punishment. If, then, the prisoner refuses obedience to the wholesome rules of the prison, and the commands of the officers over him, he cannot complain that he is thrown into chains and deprived of that amount of liberty which had been conceded to the good feelings and good conduct of other prisoners. He must be made to feel and confess that he has no legal right to any great kindness, that it is the reward of those who are willing to show themselves deserving consideration as they are able to show a disposition to do and to be, good.

With the exception of a few who have made violent attempts to break out of jail, we have noticed in the Philadelphia prisons scarcely any one in chains from any other cause than that of violence, or danger of violence, to themselves. They turn crazy from abuses, or the reaction of intoxication makes them insane, and then insanity manifests itself in attempts to do violence to their own person or to that of the keeper or nurse, or to destroy what is around them, and so they are restrained by chains on the ankles, and, if necessary, by the application of such means of restraint upon their hands as will prevent them, with the least pain and inconvenience to themselves, from doing injury to persons and things. With such persons neither strong language nor gentle suasions can effect much. They must be restrained, but there must be mercy as well as force applied.

It is difficult to govern a large number of persons of bad character, and many of them of very low propensities, but it is not impossible. Careful observation leads to the belief that when once the keeper, or whoever is in authority, has made it apparent that he can and will punish whenever kindness fails to produce its good work, then he has only to govern his own temper, keep down all appearance of anger, and he will still the first movement of disorder without recurrence to extraordinary severity. Perhaps too little attention is paid to the importance of self-control by those who are called to control others. It is much easier to govern others than to govern ourselves, and hence it is impossible for us to quell, without violence, a disorder in which our own passions are playing a part. The director of prisoners must first reduce his own passions to subjection, then he may direct others. "He that ruleth his spirit, is greater than he that taketh a city."

---

## VIEWS FROM THE WEST.

We devoted a part of this number of our Journal especially to correspondence, and we refer our readers to that chapter for much interesting matter concerning the state of prisons and almshouses in some of the counties of this State. The subjoined letter properly belongs to that division of the Journal, but having come to hand after

that part had been put to press, and, containing much useful matter, it is deemed proper to give it publication, even if not in its prescribed connection. Truth and sound ideas are never out of place.

---

JEREMIAH WILLETS, Esq., *Committee of Correspondence of "The Society for Alleviating the Miseries of Public Prisons," &c.*

DEAR SIR:—Your note was received in due course of mails. Pressing engagements, and a desire to make a thorough investigation of the condition and management of the prisons in our county, before reporting, prevented us from giving an earlier reply.

Our certificates of membership, and the Annual Report, were duly received. Several notices of the Society, written by one of the undersigned, and published in the editorial columns of one of our daily papers, have been forwarded according to request.

Some one has very properly said that prison-houses should be considered as moral hospitals, in which prisoners are to be confined, because it is unsafe to allow them to run at large, lest they might communicate to others the virus of their disease, and prey upon the life and property of honest and unoffending men.

Our jails and other prisons, as at present managed, are, generally, far from being of a healing or reformatory character. It would not be a wise course to collect together all the persons in a given region who are affected with the different diseases of small pox, yellow, scarlet and typhoid fevers, measles and pneumonia, and crowd them, indiscriminately, into one hospital, without affording them any relief from the appliances of medical skill and practice. A course so inhuman and absurd as this would soon decimate any region, however salubrious its climate, or healthful its situation. In such a case, the wise physician would be careful to classify the diseases, and give to each one a separate couch, and, if possible, a separate apartment. The results of promiscuous incarceration for crime are, in their kind, equally baneful.

The language of Mr. Buxton, on this subject, published in 1818, is worthy of being reproduced here. Speaking of a person—who may, or may not, be guilty—committed to a London prison for a hearing, he says :—

“ At night he is locked up in a narrow cell, with half-a-dozen of the worst thieves in London, or as many vagrants, whose rags are alive and in actual motion with vermin. He may find himself in bed, and in bodily contact between a robber and a murderer ; or between a man with a foul disease on one side, and one with an infectious disorder on the other. He may spend his days, deprived of free air and wholesome exercise. He may be prohibited from following the handicraft on which the subsistence of his family depends. He may be half-starved for want of food, and clothing and fuel. He may be compelled to live with the vilest of mankind; and, in self-defence, to adopt their habits, their language, and their sentiments. He may become a villain by actual compulsion. His health must be impaired, and may be ruined by filth and contagion ; and as for his morals, purity itself could not continue pure, if exposed for any length of time to the society with which he must associate.”

The indiscriminate confinement of men and women, of various grades of crime, in the same apartment, is an outrage on public morals, and is eminently calculated to bring about an increase rather than a diminution of crime.

Although the corresponding members of the Society, in this city, have not been altogether inactive, we cannot report much progress in the way of prison reform, or the “ alleviation of the miseries” of unfortunate convicts. Some improvements, however, have been made. Although confined in the same wing in our county jail, there is no communication permitted between the males and females. Formerly they were allowed to walk in the hall at the same hours. Now, however, only one of the sexes is allowed to leave the cells at the same time. This slight improvement inspires us with hope.

Through the exertion of a few philanthropic and benevolent individuals, religious services are held in our county jail every Sabbath day, which are conducted, during the winter-season, by the students of the different theological seminaries in our sister city of Allegheny. Through the agency of the same gentlemen, a circulating library,

kindly furnished by the United States Christian Commission, has been established in our county prison. The Western Penitentiary has a regular Moral Instructor, and, we understand, a library of considerable extent.

During the past year, Major WILLIAM FREW, a corresponding member of the Prison Association, a gentleman of unbounded benevolence and liberality, and well-known here as a leader in every moral and religious reform, in a presentment of the Grand Jury, of which he was foreman, to the Court of Oyer and Terminer, dwelt elaborately and effectively upon the subjects of a Work-house and Prison Reform. The other corresponding members brought the matter before the Inspectors of the County Prison. The result of all of which is, that a bill has been introduced, by a Senator from this District, and has already passed the Senate, authorizing the establishment of a county work house. It is our earnest wish that the bill may soon become a law, and the work-house hurried to early completion. We thought we would have been able to send you a copy of the bill, but it has failed to reach us.

We are sorry to have to state that crime is greatly on the increase in our county. We have been informed; on competent authority, that nine cases of criminality, out of every ten, are the result of intemperance. The great prevailing crime is *larceny*, committed, in more than a majority of cases, it grieves us to say, by returned soldiers, who bravely and successfully defended our country's flag. Such a state of things demonstrates the fearfully demoralizing influences of war.

During the past two weeks, there have been no less than three executions in our county jail for the atrocious crime of murder. It is unnecessary to give particulars, as these have reached you, no doubt, through the public prints.

You can rely on our cordial co-operation in any efforts you may make to secure such legislation as will remove and correct existing abuses and evils in our public prisons, as well as for the reformation of criminals. We must bear in mind, however, that the safety and welfare of society demand the punishment of crime, and that our prisons should not have such luxurious appointments as would invite rather than intimidate criminals. On the other hand, let us do every thing in our power to throw the light of Heaven into their dark and dingy cells—ornament the frosted walls with a healthful cleanliness,

and illuminate the darkened understandings of the ill-guided and infatuated convicts with the bright and unsullied rays of Divine truth. If in our power, let us give them wholesome food for both mind and body. Such a work shall have its reward.

JOHN DOUGLAS,  
ROBERT WRAY.

PITTSBURGH, January, 1866.

---

## CONCLUSION.

We close another number of our annual offering, in the labors of the year just brought to a termination. If we have not achieved all that we aimed at, we know too well, and we ask others to allow for, the impediments which accident and the current of affairs throw into our pathway. We have been constant in our efforts to discharge those labors which, by assumption, become duties. The members of the committees specially designated, have been faithful to the obligations of their appointment. The County Prison has been visited by male members of our society, and by several females, whose services have been gratefully acknowledged by the inmates of the cells, which have been the scenes of gentle, earnest exhortation, and patient, constant and encouraging advice. The words of Scripture have been made familiar to many who knew little of the contents of the sacred book before, and a spirit of Christian charity has been infused into the hearts of some whose way of life before they became tenants of the cells seemed the dictation of impiety and impurity.

It is gratifying also to feel assured that a new spirit has been aroused in the interior of our State; and the subject of prison discipline and the improvement of prisoners has begun to occupy public attention in a way that promises great practical good.

We see also in other States, movements that denote a growing sense of the importance of the subject which forms the motive and the means of this society; and it is gratifying to believe that the existence and efforts of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," have aroused the humane and the thoughtful of neighboring States to consider their duty in this direction, and to adopt our views and plans, and adapt them to the circumstances of their commonwealth. To do good ourselves, according to the measure of our abilities, and to be the cause in others of successful efforts in the same direction, may be allowed to be regarded as occasion for felicitation.

The monstrous increase of vice and crime in our city, and throughout the State, demands from those who would lessen the miseries of prisons, a constant watchfulness, that some of the channels of iniquity may be closed, and, if possible, some of the sources be dried up, lest the whole community be overspread with the terrible inundation.

The causes of much of the vice and crime which we now deplore have been referred to in the preceding chapters of this number of the journal. But one other immediate cause of the excess of the evil, and the multiplication of the miseries of prisons, is the breaking up of the army, by which many whose errors led them to

enlist have returned certainly not improved in morals, and thousands of camp followers, and of those who found occupation and support in some nefarious dealings in men and materials, have come back to try a new branch of crime, and disturb society by the acuteness of their schemes and the boldness of their execution.

We have sought to awaken attention to these sources of social discomfort, and we now, as it regards our Society, have only to add that their existence and multiplication must be regarded by us only as new calls for exertions to save society from future depredations, by alleviating the moral condition of the offenders, and making the cell which they occupy a place for instruction, and the punishment which they have so richly deserved, the certain means of amendment.

The idea which we have so frequently expressed with regard to the duties of this Society, must be kept constantly in view. The labors, the contributions, the endurance of those who at the penitentiary and prisons represent the Society, are in the way of what is believed to be a duty, and the binding obligation to discharge that duty is not at all diminished by the want of the success in our efforts. It is the duty of doing, and not the pleasure of receiving—it is the duty of planting and cultivating, that we are to regard, not the pleasures of the harvest. We know, and we profess to be influenced by the knowledge, that some of us must plant and others must water, but we have not professed to be able to give the increase. We must discharge our duties and await the result from Him who giveth the blessing.

While the Acting Committee report to the Society its own doings, and the doings of governments and other societies of a similar character, touching the alleviation of the miseries of public prisons, it commends for approval the exertion and sacrifices of those who have been its representatives at the prison cells, or in traversing the State. To these laborers must the Society look for the fulfilment of its high purposes and the execution of its decrees. To their conscientious devotion—to their faithful use of time and talents—to their plain but earnest dealing with the convict—we look for the fruits of all our labors. And though the humblest talent may find useful occupation in the ministrations which this Society authorizes, yet it is not less certain that the highest order of gifts, and the richest improvement of intellect, have occupation when dealing with the prisoner in his cell, if in those gifts and improvements are found a knowledge of human character and an ability to comprehend the motives of those to whom they minister. The cell of the Penitentiary is the penal abode of the criminal debased by crimes; but it is often the abode of the man of strong mind and large literary and scientific attainment. And, sometimes, the pupil in the cell reads most readily the heart and motive of his instructor, while that instructor is blind to the mental working of the pupil. One advantage the visitor always has in this contest, however. The hypocrite is sometimes deceived by his own hypocrisy. And the criminal has lost his recollection of the advantage which purity of life always gives in the judgment of character. And the visitor to the cell of the great criminal often

reads in the air and language of the convict a settled purpose of deception and fraud, with which the unhappy man half deceives himself, and thinks he has wholly deceived his patient visitor.

Great discernment, great patience, great conscientiousness and great humility, are required in one who visits the prisoner's cell in the purpose and hope of working improvement in the occupant.

We believe that many who represent this Society in the ministration to prisoners, possess, some in a great, others in a less, degree, the qualifications for their mission. Others who go with little else than a desire to do good, work on with frequent disappointment and occasional failure. Yet in time that very desire is gratified by the qualification which experience imparts, and the man or the woman that, in the ordinary intercourse of life, might be regarded rather as needing constant monition, becomes, in the course of regular visitations to prisoners, skilful and efficient in the work of goodness, and often receives the grateful thanks of men and women prisoners, whose natural powers and scientific and literary attainment are very far above those of their successful teachers.

The Acting Committee, then, commend its labors to the approval of the Society; and it commends the objects and labors of the Society to the approval of the community, by the great things proposed, and the good things achieved; and, closes its labors for the year 1865, in the belief that those labors have been useful to the public as well as gratifying to the laborers. They enter upon the discharge of the duties of 1866, in the strong

hope that success will attend their efforts to do good. And in those resolves, and in that hope, they commend themselves and their labors to Him who sent his "Angel by night to open the prison doors."

By order of the Society.

JAMES J. BARCLAY, *President.*

Attest,

JOHN J. LYTLE,

EDWARD TOWNSEND,

*Secretaries.*

*January 1, 1866.*

L I S T   O F   M E M B E R S  
O F   T H E  
P R I S O N   S O C I E T Y .

---

L I F E   M E M B E R S .

Ashmead, Henry B.	Perkins, Samuel H.
Barclay, James J.	Powers, Thomas H.
Bonsall, Edward H.	Potter, Thomas
Besson, Charles A.	Pennock, George
Cope, Caleb	Sharpless, Charles L.
Ellis, Charles	Sharpless, Samuel J.
Fotterall, Stephen G.	Sharpless, William P.
Hacker, Jeremiah	Steedman, Miss Rosa
Ingram William	Turnpenny, Joseph C.
Knight, Reeve L.	Thompson, John J.
Leaming, J. Fisher	Townsend, Samuel
Love, Alfred H.	Whelen, E. S.
Longstreh, William W.	Willitts, Rev. A. A.
Marshall, Richard M.	Weightman, William
Ogden, John M.	Williams, Henry J.
Perot, Joseph	Yarnall, Charles
Parrish, Dillwyn	Yarnall, Benjamin H.

## ANNUAL MEMBERS.

Armstrong, Dr. Wm.	Baines, Edward
Atmore, Frederick B.	Brown, Abram C.
Ash, Joshua P.	Bispham, Samuel
Brown, John A.	Broadbent, Samuel
Bell, John, M. D.	Beesley, Bartholomew W.
Biddle, William	Brant, Josiah
Barton, Isaac	Bailey, E. W.
Brown, David S.	Beckwith, Rev. J. H.
Bergen, George H.	Brown, Mary D.
Biddle, John	Cope, Alfred
Bohlen, John	Cope, M. C.
Binney, Horace, Jr.	Caldwell, Stephen
Brooks, Henry	Cresson, John C.
Bayard, James	Claghorn, John W.
Brown, Moses	Chandler, Joseph R.
Beesley, T. E., M. D.	Carter, John
Bowen, Wm. E.	Cope, Francis R.
Bettle, Samuel	Collins, Joseph H.
Baldwin, Matthias W.	Campbell, James R.
Barcroft, Stacy B.	Comegys, B. B.
Burr, Wm. H.	Childs, George W.
Brown, T. Wistar	Chance, Jeremiah C.
Bettle, William	Coates, Benjamin
Boardman, H. A.	Cope, Thomas P.
Brown, N. B.	Child, Dr. H. T.
Bacon, Richard W.	Comly, Franklin A.
Bacon, Josiah	Chamberlain, Lloyd
Brook, Jonathan	Caldwell, James E.
Bailey, Joel J.	Cooke, Jay
Barclay, Andrew C.	Collier, Daniel L.
Brooke, Stephen H.	Caldwell, Wm. Warner
Brooks, Henry	Corse, Dr. J. M.

- Caver, John E.  
 Cope, Herman  
 Cattell, A. G.  
 Coupland, Joshua  
 Corlies, S. Fisher  
 Claghorn, C. E.  
 Crenshaw, Edmund A.  
 Campbell, Edward S  
 Chandler, James B.  
 Coates, Geo. Morrison  
 Dawson, Mordecai L.  
 Dorsey, William  
 Dutilh, E. G.  
 Ditzler, Wm. U.  
 Dreer, Ferdinand J.  
 Dickinson, Mahlon H.  
 Davis, R. C.  
 Derbyshire, Alexander J.  
 Duane, William  
 Earp, Thomas  
 Evans, Charles, M. D.  
 Edwards, William L.  
 Emlen, Samuel, Jr.  
 Erringer, J. L.  
 Eyre, William  
 Evans, Wm., Jr.,  
 Eretty, George  
 Evans, Robert E.  
 Evans, J. Wistar  
 Elkinton, Geo. M.  
 Eyre, Joshua  
 Farnum, John  
 Fraley, Frederick  
 Fullerton, Alexander  
 Farr, John C.  
 Frazer, John F.  
 Ford, William
- Furness, Rev. Wm. H.  
 Ford, John M.  
 Field, Charles J.  
 Fox, Henry C.  
 Franciscus, Albert B.  
 Funk, Charles W.  
 Garrett, Thomas C.  
 Greeves, James R.  
 Gilpin John F.  
 Gummere Charles J.  
 Griffin, Edwin, M. D.  
 Gibbons, Charles  
 Hunt Uriah  
 Hockley, John  
 Holloway John S.  
 Husbaud, Thomas J.  
 Hughes, Joseph B.  
 Homer Henry  
 Hand, James C.  
 Haseltine, John  
 Hastings, Matthew  
 Huston, Samuel  
 Hacker, Morris  
 Hurley, Aaron A.  
 Hunt, William, M. D.  
 Hacker, Wm.  
 Harbert, Charles  
 Hunecker, John  
 Heiskell, Coulson  
 Higgins, John S.  
 Henderson, Robert  
 Ingersoll, Joseph R.  
 Iungerich, Louis  
 Jeanes, Joshua T.  
 Jones, Jacob P.  
 Janney, Benj. S., Jr.  
 Jackson, Charles C.

- Johnson, Israel R.  
 Johnson, Ellwood  
 Johnson, Robert S.  
 Jones, Isaac T.  
 Justice, Philip S.,  
 Jones, William D.,  
 Jones, Justus P.,  
 Jones, William P.,  
 Jenks, William P.,  
 Kaighn, James E.,  
 Kinsey, William,  
 Kneedler, J. S.,  
 Knorr, G. Frederick,  
 Klapp, Joseph, M. D.,  
 Kitchen, James, M. D.-,  
 Knight, Edward C.,  
 Kiderlen, Wm. L. J.,  
 Kirkpatrick, James A.,  
 Kelley, William D.,  
 Kingsbury, C. A., M. D.  
 Kane, Thomas L.,  
 Ketcham, John,  
 Klein, Rev. John,  
 Kickline, W. H.,  
 Kaub, A. L.,  
 Latimer, Thomas,  
 Lambert, John,  
 Lovering, Joseph L.,  
 Lippincott, John,  
 Lytle, John J.,  
 Longstreth, J. Cooke,  
 Lewis, Edward,  
 Lewis, Henry,  
 Ludwig, William C.,  
 Lovering, Joseph S., Jr.,  
 Laing, Henry M.,  
 Lathrop, Charles C.,  
 Lippincott, Joshua,  
 Luther, Rev. R. Maurice,  
 Lynch, William,  
 Lewis, F. Mortimer,  
 Leeds, Josiah W.,  
 Lukens, Dr. I.,  
 Lewis, Dr. F. W.,  
 McCall, Peter,  
 Meredith, William M.,  
 Mullen, Wm. J.,  
 Morris, Isaac P.,  
 Maris, John M.,  
 Morris, Charles M.,  
 Montgomery, Richard R.,  
 Mercer, Singleton A.,  
 Magarge, Charles,  
 Morris, Wistar,  
 Morris, Casper, M. D.,  
 McAllister, John, Jr.,  
 MacAdam, Wm. R.,  
 McAllister, John A.,  
 McAllister, Wm. Y.,  
 Marsh, Benjamin V.,  
 Morton, Samuel C.,  
 Merrill, William O. B.,  
 Morris, Anthony P.,  
 Morris, Elliston P.,  
 Magee, James F.,  
 Mellor, Thomas,  
 Milliken, George,  
 Martin, Abram,  
 Mitcheson, M. J.,  
 Morrell, R. B.,  
 Martin, Luther,  
 Norris, Samuel,  
 Neall, Daniel,  
 Needles, Wm. N.,

Nicholson, William,  
 Nesmith, Alfred,  
 Neall, William,  
 Newman, Rev. L. C.,  
 Ormsby, Henry,  
 Orme, Benjamin,  
 Purvis, William,  
 Perot, William S.,  
 Patterson, Joseph,  
 Price, Eli K.,  
 Pitfield, Benjamin H.,  
 Perot, Francis,  
 Perkins, Henry, .  
 Peters, James,  
 Parrish, Joseph, M. D.,  
 Perot, Charles P.,  
 Perot, T. Morris,  
 Potts, Joseph,  
 Parry, Samuel,  
 Pearsall, Robert,  
 Palmer, Charles,  
 Patterson, Morris,  
 Pharo, Allen R.,  
 Potts, Thomas P.,  
 Quinn, John A.,  
 Richardson, Richard,  
 Robins, Thomas,  
 Robins, John,  
 Ritter, Abram, Jr.,  
 Rasin, Warner M.,  
 Robb, Charles,  
 Rehn, Wm. L.,  
 Ridgway, Thomas,  
 Rowland, A. G.,  
 Randolph, Philip P.,  
 Robinson, Thomas A.,  
 Richardson, William H.,  
 Richards, George K.,  
 Shippen, William, M. D.,  
 Scull, David,  
 Schaffer, William L.,  
 Scattergood, Joseph,  
 Shannon, Ellwood,  
 Simons, Geo. W.,  
 Stokes, Samuel E.,  
 Shoemaker, Benj. H.,  
 Starr, F. Ratchford,  
 Stokes, Edward D.,  
 Sloan, Samuel,  
 Smith, Joseph P.,  
 Smith, Nathan,  
 Shillingford, H. H.,  
 Stuart, George H.,  
 Stewart, Wm. S.,  
 Stuart, James,  
 Stokes, Francis,  
 Smedley, Nathan,  
 Scull, David, Jr.,  
 Townsend, Edward,  
 Taylor, Franklin,  
 Taylor, John D.,  
 Trederick, B. T.,  
 Thomas, John,  
 Taber, George,  
 Taylor, George W.,  
 Troutman, George M.,  
 Thornley, Joseph H.,  
 Thissell, H. N.,  
 Trewendt, Theodore,  
 Truman, Joseph M., Jr.,  
 Van Pelt, Peter, D. D.,  
 Vaux, George,  
 Wood, Horatio C.,  
 Wetherill, John M.,

Williamson, Passmore,  
White, John J.,  
Wainwright, William,  
Wright, Samuel,  
Willetts, Jeremiah,  
Weigand, John,  
Wilson, Dr. Ellwood,  
Welsh, William,  
Welsh, Samuel,  
Welsh, John,

Wilstach, William P.,  
Williamson, Peter,  
Wright, Isaac K.,  
Warner, Redwood F.,  
Woodward Charles W.  
Walton, Coates,  
Whilldin, Alexander,  
Watt, John H.,  
Wetherill, John, Jr.,  
Way, J. Tunis,

C O R R E S P O N D I N G   M E M B E R S  
O F   T H E  
P R I S O N   S O C I E T Y.

---

Atlee, John L., M. D.,	-	-	-	-	-	Lancaster.
Allison, William J.,	-	-	-	-	-	Burlington, N. J.
Brodhead, William,	-	-	-	-	-	Milton.
Brown, Rapelas,	-	-	-	-	-	Warren.
Bent, Rev. Sylvester,	-	-	-	-	-	Beaver.
Benedict, A. W.,	-	-	-	-	-	Huntingdon.
Baker, John A.,	-	-	-	-	-	Bloomfield.
Conyngham, John M.,	-	-	-	-	-	Wilkesbarre.
Carpenter, Thomas,	-	-	-	-	-	New Jersey.
Curtin, Andrew G.,	-	-	-	-	-	Harrisburg.
Crozer, John P.,	-	-	-	-	-	Chester, Pa.
Clark, Samuel D.,	-	-	-	-	-	New Castle, Pa.,
Calvin, Samuel,	-	-	-	-	-	Hollidaysburg.
Curwen, John, M. D.,	-	-	-	-	-	Harrisburg.
Dix, Miss D. L.,						
Davis, William,	-	-	-	-	-	Stroudsburg.
Drinker, Henry,	-	-	-	-	-	Montrose.
Donalson, John F.,	-	-	-	-	-	"
Derrickson, David,	-	-	-	-	-	Meadville.
Douglass, John, D. D.,	-	-	-	-	-	Pittsburgh.

Echroid, Henry,	-	-	-	-	-	Muncey, Pa.
Eaton, S. M.,	-	-	-	-	-	Franklin.
Elder, Cyrus W.,	-	-	-	-	-	Lewistown.
Frew, William,	-	-	-	-	-	Pittsburgh.
Findlay, John P.,	-	-	-	-	-	Mercer Co.
Foster, Henry D.,	-	-	-	-	-	Greensburg.
Fenton, John,	-	-	-	-	-	Johnstown.
Graham, Rev. S. Y.,	-	-	-	-	-	Somerset, Pa.
Gibson, M., -	-	-	-	-	-	Northumberland.
Green, S. Miles,	-	-	-	-	-	Huntingdon.
Hall, John, D. D.,	-	-	-	-	-	Trenton, N. J.
Howe, Dr. Samuel G.,	-	-	-	-	-	Boston.
Hays, A. L.,	-	-	-	-	-	Lancaster.
Holliday, H. S.,	-	-	-	-	-	Brookville.
Howe, John W.,	-	-	-	-	-	Meadville.
Ives, Timothy,	-	-	-	-	-	Coudersport.
Jones, Morris C.,	-	-	-	-	-	Bethlehem, Pa.
Jones, J. Pringle,	-	-	-	-	-	Reading.
Jorney, John,	-	-	-	-	-	Honesdale.
Jessup, William H.,	-	-	-	-	-	Montrose.
Johnson, Samuel P.,	-	-	-	-	-	Warren.
Knight, Dubré, -	-	-	-	-	-	Wilmington, Del.
Kughns, Joseph,	-	-	-	-	-	Greensburg.
Lucas, Charles,	-	-	-	-	-	Paris.
Lesley, James,	-	-	-	-	-	Philadelphia.
Leiber, Francis, D. C. L.,	-	-	-	-	-	New York.
Lott, Charles,	-	-	-	-	-	Lottsville, Pa.

Long, Henry G., -	-	-	-	-	-	Lancaster.
Lee, R. S., -	-	-	-	-	-	Uniontown.
Linn, Samuel, -	-	-	-	-	-	Bellefonte.
Little, Robert, -	-	-	-	-	-	Tunkhannoch.
Lawson, William C., -	-	-	-	-	-	Milton.
McClure, Alexander A.,	-	-	-	-	-	Chambersburg.
Montgomery, Rev. James,	-	-	-	-	-	Clarion Co.
McEunally, J. B., -	-	-	-	-	-	Clearfield.
McMurtrie, R. A., -	-	-	-	-	-	Hollidaysburg.
Mann, John S., -	-	-	-	-	-	Coudersport.
Mercer, Ulysses, -	-	-	-	-	-	Towanda.
Osterhout, Peter M., -	-	-	-	-	-	Tunkhannoch.
Olmstead, A. G., -	-	-	-	-	-	Coudersport,
Paxton, Joseph, -	-	-	-	-	-	Catawissa.
Pierson, John J., -	-	-	-	-	-	Harrisburg.
Perkins, Abraham R.,	-	-	-	-	-	Chester.
Penniman, Francis, -	-	-	-	-	-	Honesdale.
Pomeroy, Thomas, -	-	-	-	-	-	New Castle, Pa.
Perkins, Cyrus L., -	-	-	-	-	-	Johnstown.
Patterson, John S., -	-	-	-	-	-	Mifflintown.
Russell, Zenos H., -	-	-	-	-	-	Honesdale.
Rutton, James S., -	-	-	-	-	-	Beaver.
Roty, Edmund S., -	-	-	-	-	-	Mifflintown.
Riddle, Rev. M., -	-	-	-	-	-	Bloomfield.
Russell, Benjamin S., -	-	-	-	-	-	Towanda.
Sumner, Charles S., -	-	-	-	-	-	Boston.
Smeal, Robert, -	-	-	-	-	-	Glasgow.
Sherman, Alfred H., -	-	-	-	-	-	Milford.
Spencer, S. S., -	-	-	-	-	-	Erie.
Sutton, John, -	-	-	-	-	-	Indiana.
Stewart, William M., -	-	-	-	-	-	"
Stewart, S. Sewell, -	-	-	-	-	-	Huntingdon.

Varrentrapp, George, M. D., - - - - -	Frankfort on the Maine.
Willetts, George, - - - - -	Catawissa.
Willetts, Jeremiah, Jr., - - - - -	Haddonfield, N.
Wines, Rev. E. C., - - - - -	New York.
Woodward, Warren J., - - - - -	Reading.
Walton, Sydenham, M. D., - - - - -	Stroudsburg.
White, R. G., - - - - -	Erie.
Walker, John H., - - - - -	"
Wingate, J. D., M. D., - - - - -	Bellefonte.
Woods, David W., - - - - -	Lewistown,
Young, Rev. Royal, - - - - -	Butler.





NEW SERIES.

NO. VI.

# THE JOURNAL

OF

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

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

JANUARY, 1867.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1867.



**ROOMS OF THE  
PHILADELPHIA SOCIETY**

**FOR**

**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month, (January,) 17th, 1867, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, JAMES M. CORSE, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month, 24th, 1867, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Special Meeting of the Acting Committee, held First Month, 29th, 1867, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYTLE,**  
**SECRETARY.**



## TABLE OF CONTENTS,

WITH AN ANALYSIS.

---

### **REPORT,**

**9**

- Notice of the Proceedings of the Acting Committee.
- Means of Improving the Prisoners.
- Character of the Imprisonment—by excess of Convictions fast changing from Separate to Social.
- Efforts and success in the County Prison.
- Special notice of the visits in the Female Department.
- Efforts of the Society in various parts of this State, and success of those efforts.
- Efforts of the Society and success in other States.
- Direct and indirect influences of the labors of the Society upon the enactment and administration of the penal laws of the State.
- Notice of pardons.
- Reference to the labors of Wm. J. Mullen, the Agent of the Society.
- Reports of some of the cases which the Agent has settled. Illustrating the duties of his office, and the mode of discharging them.

***WHAT HAS BEEN DONE.***

22

The value of associations to be reckoned by the good they produce.

Plans and views of the Society. It leaves with the Legislature the enactment of laws, and with the Court the sentence of convicts.

Consideration of the condition of prisons and prisoners before the formation of the Society. New York Prison Society co-operating with this Society.

Effect of Society's labors on convicts.

System of discipline in County Prisons generally a failure.

The success of the Society found in the improvement of individual prisoners, and the work is progressive.

***PRISON SOCIETY IN CALIFORNIA,***

33

A Society formed in San Francisco. Its motive and means of action. Its energetic exertion in the cause of humanity in the prisons, and the results of its labor.

***THE CAUSE.***

36

Intemperance a great cause of crime.

Comparison between the Causes of Crime in this country and in Europe.

***THE ARMY AND THE NAVY,***

45

Results of inquiries as to the cause and *personnel* of the vast augmentation of convicts in the prisons of this State and in other States.

Large proportion from the Army and Navy.

Report of a Committee of Inquiry in various States on this subject.

Interesting Letter from Hon. J. Pringle Jones, Relative to the Former Pursuits of the Convicts now in the prison of Reading, Pa.

A large proportion of the Prisoners from the Army and Navy are young and are very accessible, and yielding to kindness. Those of this class who have been pardoned are not known to have returned to their crimes.

***VISITORS,*****51**

Qualifications for Visitors      Hesitation of Females to visit.

Their views of the Duties of the Place. Their repugnance, at first, to entering cells of convicts, even of their own sex.

Interesting Dialogue on the subject.

How the Benefits of Visitation are to be imparted. The Mode and Manner of dealing with prisoners.

The Result of these Dealings. Some Prisoners who promise well, fail under new trials. Many by the watchful care of the Agents of the Society, succeed in their efforts to be, and to do good.

How the Prisoner is to be approached.

What the Female Convict needs. What the Discharged Convict requires.

Encouragement to Labor in the Good Cause.

***SYSTEM,*****56**

Evidences and Efforts of a System of Prison Management in France, Great Britain and Ireland.

Special Notice of the Irish Prison System as one much approved at the present times.

Extract from the Diary of Recorder Hill, of Birmingham, on his Third Visit to the Irish Gaols, Refuges and Reformatories; Comments upon the Irish System of relaxing the Discipline with the Improvement of the Prisoners.

Diminution of the Number of Children in the Reformatories of Ireland.

Prison System in Ireland affected by Social Circumstances.

Necessity of a System.

The Systems of France, Great Britain and Ireland, are only admirable as it regards the Discipline and the General Classification of Prisoners, they fail of Reformatory Effects from a want of Separate Confinement.

The Peculiar effect of the Irish System.

The Ticket-of-leave Prisoners do not always return to the Irish Gaols, but often come to the United States.

**MEMBERS,**

**66**

Notice of the late Matthias W. Baldwin.

Reference to Dr. William Shippen.

The Duties of the Members are to be discharged, and the Work continued.

**PROPOSED MATTERS,**

**68**

**HOUSE OF CORRECTION.**—Hopes entertained that City Councils will provide means for the Erection and Maintenance of such an Institution.

**CONSTRUCTION OF PRISONS.**—Character and inefficiency of most of the old Structures.

Most of the changes recently made are in the ornamentation of the exterior, rather than in the adaptation of the interior. Difficulty of Correcting the Evils of badly Constructed Prisons.

**APPENDIX,**

**73**

Private Diary of Jeremiah Willits, whilst visiting Prisons and Alms Houses in this State and adjoining States.

**LIST OF CORRESPONDING MEMBERS,** **97**

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T.

---

If the legislation of the "Acting Committee" was alone that which is to be reported to the Parent Society, this statement would scarcely be a work of necessity, as at every quarterly meeting the whole of the proceedings of the Acting Committee are laid before all the members of the Society that choose to give their attendance, and they may sit in judgment upon what their agents have reported of their proceedings. But the "Acting Committee" has extended its labors beyond the circle of its former influence, and works often indirectly by voluntary associations that extend and augment the influence of the Society. Hence the propriety of making known, with the report of the home action of the Committee, what is done abroad, done, if not in the name of the Society, at least in its spirit and by its direct influence. Beyond all this, too, are the reports of Foreign Societies and of Governments acting in the direction of penal and reformatory imprisonment. These all become important

to those of our Society who are expecting beneficial results from attempts to "alleviate the miseries of public prisons," whether those attempts are made by Societies established directly and solely for the purpose, or whether they are the efforts of legislatures so to direct the arrangements of prisons as to make them subservient to the true object of their erection, or rather, perhaps, to elevate the estimate of their capabilities, and direct their influence to higher ends.

Another motive for detailed reports may be found in the fact that the *active* members of the Society are mostly members of the "Acting Committee," while a large majority of those who willingly contribute to the funds of the Society and sympathize in all its movements, do not find it convenient to assist the Society by their direct advice, or aid it by their presence. Other associations claim their services, other societies, equally important in a philanthropic sense, demand their presence at their meetings and their labors abroad. They judge between the claims of the different associations, and they consider no less carefully of their own capabilities, to serve one branch of charity better than another. To these is eminently due a full statement of the proceedings of the "Acting Committee," that they may know what they are sustaining with their names, what they are patronizing with their means.

Again, we confess, great benefits are derivable from the reports of other societies. We acknowledge advantages from the statement made to the Legislature of the action of the Warden of the Penitentiary, of the Prison Superintendent, and of the Inspectors, and it would be

no evidence of modesty in us to suppose that the statement of our efforts would be uninteresting if not instructive to those from whom we derive improving information.

We hope that the actual benefits resulting from the labors of this Society will extend a knowledge of its existence and perpetuate the memory of its labors.

But, we may be pardoned, if we confess that with the many stronger reasons assigned above a just pride may be indulged in placing before the public, in a permanent form, a statement of what we propose, how we labor, and what are the results.

It must be good to present publicly and permanently something which, if not greatly interesting to those who are willing to let accident direct our public institutions, so that *they* escape present injury and personal responsibility, may at some future day, or perhaps in some distant report, arouse a latent spirit of Christian philanthropy and direct it to a useful exercise; something by which philanthropists are informed of the existence of others, and despairing from its own want of success, shall see, and bless God and "take heart again."

We might offer, as another motive for sending forth our annual report, that besides the good which we have attempted, and besides the great benefits which we know to have resulted from the devoted labors of the active members of our Society, we have a duty to make known the perpetuations and enlarged labors of an association that had such an honorable parentage, and has distinguished itself through a long existence by a close adherance to the objects of its establishment; and, under

all the various circumstances of political and social changes and national disasters, has held on its simple course, widening its pathway as circumstances suggested, but always keeping in view its prescribed ends.

It is undoubtedly, in some measure, to the fixed purpose of the directors of the Society that its perpetuity and success are due. It has not excited the jealousy of other associations by impinging on their plans, nor alarmed the conservative members of the community, by proposals of changes so radical and extensive as to threaten to disturb the established and cherished plans of a well-organized community. Nor has it exposed itself to ridicule by undertaking improvements which, to be effective, would demand the co-operation of those who regard individual sufferings as of little moment when compared with the success of schemes that bring public honor and public reward to the inventors.

The members of this association have all their personal relations with general society which become the duties of the citizen, and have aided in their own way in the great schemes of public works and the development of our natural resources, by which honest industry has found occupation and capital a rich remuneration. But, as members of this Society, they have in their several ways inquired out the condition of those who have failed of honest industry and been without the remuneration of capital. They have gone where honest industry has no existence, and they have inquired for those who have made shipwreck of their means, their power and their character, and sought to restore them to life, and to lift them into its usefulness. Their labors

have generally been behind the walls of the penitentiary and within the cells of the condemned. Or if their agents have appeared before the world, it has been only to suggest that legislation which shall benefit the miserable and restore to virtue the public offender, which shall cause justice to be tempered with mercy and make the penalty of crime the means of amending the criminal.

These are not places nor modes of labor that excite jealousy, nor is the success ever likely to be so great as to provoke envy. If the criminal in his cell is to receive the ministrations of the agents of the Society, who is to follow there and take note of the resulting benefits? If the convict is to be sent forth a repentant and an improved man from the monition and care and kindness of the visitors of the Society, the very success of all efforts at his improvement would be jeopardized, might be lost by the slightest intimation that the proprieties and virtues of the man were nursed in a penitentiary cell by the agent of "the Society for alleviating the miseries of prisons."

Not to have departed from the prescribed path of duties is a negative praise to which the Society is entitled. To have modestly, quietly, steadily prosecuted its objects without interfering with the rights or plans of others is what it has intended to do. Some results from the cause encourage a continuance of labors, while they reward the efforts that have been put forth.

The annual reports of the Society have for several years past fully detailed the round of duties which the Society prescribes to its active members, and the manner in which those duties have been performed. So also

the scenes of their labors have been described and the character and administration of the two prisons in this city, viz: the Penitentiary and the County Prison, especially the latter, were fully set forth.

It remains now only to be said that a Committee of the Society, consisting of twenty-four members of the Acting Committee, attend the Penitentiary regularly and visit the prisoners of that institution at the doors of their cells and in their cells, and making themselves acquainted with the former life of the convicts, they persuade them to *think*, and thinking, to resolve to do better when they shall again enter the world. The resolve having been professed, the visitor continues his instructions and advice, excites to new resolves with hopes of success founded on the rewards which perseverance has secured in others.

It is a good place to speak of the danger of crime in a prison. The poor convict feels the truth of the lesson: all around him he sees how exact and consequent is the punishment which he is enduring, and once persuaded that the infliction which he suffers will end the punishment, and that liberty will secure confidence, he has no hesitancy in promising, and no difficulty in trying to fix in himself a habit of correct thinking upon that on which his future habits of correct action are to be formed.

Nor are these plans to be lightly esteemed nor their good results distrusted. Many who have entered the Penitentiary convicted of great crime, and commenced their term with regret only for their detection, and continued for months with a growing resolve to avenge themselves on society for the punishment they were en-

during—to revenge themselves by future depredations which should be augmented by abstinence, and committed with an impunity which genius and experience would ensure; many of that kind have been persuaded by the visitors of this Society to enter into themselves, to comprehend something of the dignity of human nature, and their duty to God and society, and when they have gone forth they have by years of industry and by habits of economy acquired a competency—or at worst have risen above want, and felt that self-respect which only the virtuous can know, which the repentant can most keenly enjoy.

The diaries of the visitors to the Penitentiary have much of that kind of record, and it would greatly enrich this report and add abundantly to its interest with the public could we feel at liberty to use them, but that minuteness of description which would be necessary to give authenticity to the narrative would tend to expose the subject, and thus defeat the efforts of the released prisoner and his friends to save him from that exposure which would almost certainly prevent his success. The mark set upon the offender might prevent others "from taking his life," but it would hinder them from bestowing that confidence which is the life of business.

The Society has reason to be gratified with the success which has attended the labors of their Committee at the Penitentiary, labor persistent and faithful. They are not insensible of the service of the "Moral Instructor," an officer of the institution, but while the great success of his efforts is an occasion of congratulation to them as philanthropists, it is not a legitimate ground

for self-felicitation as members of this association, who are to speak of their own works, while they are thankful for the good works of others.

A part of the Acting Committee of the Society is detailed to do service at the County Prison, and from fifty to sixty visits a month are made to the different divisions of that Institution. Each member visiting is assigned to some particular gallery, and reports monthly the number of visits. The County Prison contains the tried and untried, the vagrant and the drunkard.

While the number of convicts in the convict block did not exceed the number of cells, it was not difficult for the administration of the places to conform to the Act of Assembly, and maintain, at least something of separate confinement, but when the number of convicts amounted to three hundred and sixty-seven, to be placed in two hundred and four cells, many of which cells could in consequence of containing looms, receive only one prisoner, it follows, that the idea of separate confinement must be given up, or rather, little more than the idea could exist.

Some of the inmates of this block have derived great advantages from the labor of visitors, and nothing has occurred to destroy hopes of efficient labors in their behalf. But it is vain to look for the same benefits of the labors of philanthropy among associated convicts, as are certainly derivable from efforts with those who are undergoing separate imprisonment.

The general tendency of associated imprisonment of convicts is to make all as bad as the worst, to keep up a spirit of insubordination, towards the authority of the

prison, and of contempt for the moral suasion of visitors. It may be added that the theory of the County Prison was separate confinement. Its practice is necessarily made associate—none of the advantages of either seem to be fully secured, and all the evil of both, almost of necessity results even where, as in the County Prison the administration is excellent.

In the Female Department where all classes of female prisoners are to be found, the instruction to the inmates is mostly by ladies engaged by this Society, or invited by members of the Society and the Inspectors to visit the unhappy beings as often as possible, and thus endeavor to improve them. While less has resulted in the way of reformation than was desired, it may be said that many instances could be advanced of women who, apparently, lost to Society by their misconduct, have been induced to commence a reformation which has finally resulted in established good conduct, that has secured a renewed confidence and some years of virtuous life.

Of course, not so much hope can be entertained of improvement in females as in males. The former, when they fall, seem to fall below their own hopes. They know how low are rated the erring of their own sex, and they need double assistance to lift them into resolves for good. Yet they are reclaimable, and have been reclaimed—even when sunk to a depth, where modesty shrinks from their contemplation, and as an encouragement to effort, it may be said, that some have admitted that though on leaving prison they resorted to their occasional haunts and habits, yet at a later day, in sick-

ness or great distress, thay have recalled the teaching of the Society's visitors, and derived therefrom courage and strength to reform. It is pleasant to say that while ladies of various denominations come to do the good work in the prison and find there some prisoners of their special creed, they have labored in love *with* each other as well as for the prisoner, and added to the benefit of their mission the beautiful example of Christian charity to all. They have not changed, not even modified their creeds, but they have manifested a most beautiful rivalry in attempts to illustrate their particular faith by the benefit of their works on others. The constant unobtrusive labors of these good women may be regarded as among the most beneficial works in the two prisons, as they are, certainly, admirable expositions of the influence of Christianity, and the most lovely qualities of their sex.

The efforts of the Society have not been limited to the improvement of prisoners in the County Prison and the Penitentiary in this City. These home labors have been persistently and successfully prosecuted, and the results if not satisfactory, have at least been gratifying to those who toil in, and those who watch over the undertaking, but what is good for the inmates of the Prisons of Philadelphia must be beneficial for the occupants of cells in every prison in the Union, in every prison in the world, and satisfied that the work is rightly commenced here at home, and willing to do good and communicate, the Acting Committee encourage their fellow members to investigate the condition of the Prisons throughout the State; and reports upon their management were made, an exposition of the errors in the con-

struction of the buildings, and the mistakes or neglect in the administration of the affairs, and suggestions as to the mode of remedying the evils, and making the penal houses of our State places of moral improvement, attracting the attention thereto of the Governor of the Commonwealth who recommended the subject to the Legislature, and much attention was given to the suggestions. Great and sudden changes in matters that involve the interests, the ease and the established views of many are rather desirable than hopeful, but where reform is needed it is much to awaken attention, resolves follow, and finally reformation succeeds. The State of Pennsylvania needs a system by which her County Prisons may be regulated, and their management made public through an officer at the seat of government. The efforts of the Society however have not been without positive fruit. The subject of prison discipline has been made to occupy public attention, and several Societies auxiliary to this have been established in populous parts of the Commonwealth so that corresponding action is kept up, and the work of alleviating the miseries of public prisons is carried on, and constantly commended to public approval.

In some parts of the State where for the present the business of an auxiliary Society could not be so conveniently conducted, the same good ends are secured by the labor of corresponding members whose devotion to the good cause will supply the place of a Society, till it procures the existence of an Association, which shall be a help-mate for the parent institution.

And it should be added that intimately connected

with the miseries of public prisons, are the sufferings of public almshouses, and hence the Society instituted inquiries into the construction, organization and management of the almshouses of the several counties or districts in the State, the results of these inquiries were made known at the time. A system is needed, and has been recommended.

The inquiries instituted with regard to the Prisons and Almshouses in this State have been prosecuted and enlarged by a single member of the Acting Committee.

Virginia, Kentucky, Ohio, Michigan have been visited; many Jails, Prisons and Almshouses in those States have been examined, and a spirit of philanthropy has been awakened, and directed into the organized modes of action, so that the good work is being carried forward, and if the pecuniary means of this Society equalled the zeal and devotion of some of its members, there can be no doubt that "the miseries of public prisons would be alleviated throughout the land, and punishment and improvement would go hand and hand."

It must be considered as a part of the good work of this Society, that it has stirred up others to similar works, that while at home it has alleviated much misery, it has abroad awakened sympathy and secured co-operation.

As a means of removing prejudice or, at least, of correcting misapprehension with regard to the action of this Society, it is deemed proper to say that it is no part of its plans to procure the pardon of convicts, even when members visiting the cells become convinced that the ends of justice have been satisfied by the punish-

ment of the convict. It has been the steady action of the Society to discountenance all efforts in *its own name* to interfere with the sentence of the Court.

The indirect influences of the Society, it is believed have had a tendency to shorten the term of punishment for certain offences, but that has been done by the evidence that the direct influences of the Society have greatly improved the criminal undergoing punishment. But the sentence having been pronounced by the Court, the Society limits the efforts of its Committees to that instructive and moral suasion which shall lighten the weight of penalty, not by expectation of lessening the time, but by the resolve and hope that no future misconduct shall procure a repetition of the punishment.

The Society leaves to others to recommend, and to the Governor to grant pardons, and it is believed that the power thus to exercise clemency is necessary to the cause of human justice, as it is a beautiful attribute of Christian philanthropy.

In addition to the Committees appointed to visit the Eastern Penitentiary and the County Prison, the Society has the services of Mr. Wm. J. Mullen, as an Agent to look to the wants of the untried prisoners, he endeavors to reconcile jarring feelings and interests that have lead to an appeal to the laws. Mr. Mullen is extensively known in the work of benevolence; but he is better known to the unhappy families where disturbance needs interference, than to those to which this Report will appeal. Children whose fathers have had their heads broken, and whose mothers have had their hearts wrung, appeal to Mr. Mullen as if he was a Pro-

vidence of their kind, and while he uses the persuasion with prosecutors, and with the Aldermen, or the officers of the law, to procure the release of those through whom comes the daily bread of the family, the old and the young seem to regard his ability to persuade others as an absolute power which immediately grants what in reality it only procures.

We copy two or three of the many cases represented by Mr. Mullen, and these are selected not so much for their comparative importance as for their brevity, suiting our limited space.

NUMBER 1—Was the case of a wounded soldier who had been robbed of thirty dollars (\$30.00) in a public house while he was in a state of intoxication. He accused the proprietor, of having robbed him, had him arrested and bound over for the offence. The accused thereupon sued the soldier and had him committed to prison upon the charge of assault and battery. When asked to release the soldier he refused to do so, because he accused him of having robbed him. The landlord declared that he was innocent of the charge, and was not on the premises at the time the robbery took place, but was in another part of the city. Your Agent carefully investigated the case, and discovered that the landlords statement was true, and that he had indeed been falsely accused. The soldier was mistaken when he said the landlord had robbed him, for the investigation showed that he had been robbed by three men, one of whom, has since been arrested and committed to prison for the offence. This man confessed that he and two others took the soldiers money and divided it between them, and that the landlord was in no way connected with the case. The soldier apologized to the landlord for the mistake he had made in prosecuting him wrongfully while under the influence of liquor, and the landlord consented to withdraw his suit against the soldier for assault and battery. Thus both cases were settled at the expense of the landlord, who paid the costs, and then generously made the soldier a present of five dollars to help him along. They left the prison together good

friends—each thanking your Agent for his interference in their behalf. The real thief in the case remains in prison to be tried.

**NUMBER 2**—Was the case of a mother and her daughter, both committed on the charge of having stolen eleven dollars. The prosecutrix was a drunken vagrant who had since been arrested and consigned to our prison herself. While there, she became sober, and admitted that the charge of larceny which she had in her drunkenness brought against the mother and daughter was false, and without any foundation whatever. The Agent had their case settled before the proper authorities, and they were released without costs.

**NUMBER 3**—Was a man who had been committed by the Coroner to the debtors prison as a witness in a murder case. When he had been in prison about two months, the Agent discovered that the murderer had never been arrested, but that he had fled and left the country. Notwithstanding this fact, this innocent man was detained in prison as a witness. The Agent had him brought before the Court, when he was discharged with the consent of the District Attorney, the Coroner and everybody concerned. He was a respectable German who had never seen the inside of a prison before.

**NUMBER 4**—Was a discharged soldier, who, on the battle-field in the defence of his country, had lost, both his legs below the knees. He was committed to prison upon the charge of misdemeanor. An investigation showed that his offence consisted in his owing about fifty dollars (\$50.00) for board, which he was unable to pay. As imprisonment for debt is abolished in this State, the Agent demanded of the prosecutor to go to the Alderman and ask for the immediate release of the prisoner. This demand was complied with by the prosecutor. He went to the Alderman, paid the costs, and obtained the discharge, after which he accompanied the Agent to the prison, made friends with the prisoner, and offered to take him back to his house to live. This offer was not accepted, as the Agent had already provided a home for the prisoner and his wife, where they would be cared for free of expense, until he could get employment or obtain subscriptions for his performance on the hand-organ, which he had been in the habit of playing for a living. This imprisonment had caused the wife great distress, as she

was a German woman, who could speak but very little English, and the prosecutor had turned her out of doors at the time when he sent her husband to prison ; she was homeless, friendless, and without money. As soon as these facts were made known to your Agent, she was taken into the prison and cared for until her husband was released ; afterwards they were both supplied with a home in the House of Industry. The imprisonment was not only illegal but unjust, as the prosecutor had made false representations in order to get him imprisoned.

The amount of domestic misery thus alleviated is beyond all calculation. None can appreciate the blessings diffused among the poor, by the good offices of the Agent of the Society, but those who witness the restoration to their families of beings whose follies, vices, or misfortunes have sent them to prison, and whose "sober, second thought" has led to professions of resolutions that have secured them their release.

The public have deep interest in the success of Mr. Mullen's labors, as the demand from the Court upon the Treasury of the City is greatly diminished by the number of those he saves from trial, while the arrangement of the cases is not in violation of the true principles of Justice.

---

## WHAT HAS BEEN DONE.

In one of our former reports it was remarked, that the value of an association must be estimated by the benefits of its labors. We may add, that the honor of an association may arise from its plans and its efforts. We believe that our Society has an intrinsic value in

the good it has accomplished ; and we claim for it some honor on account of its plans to alleviate the miseries of prisons, and its efforts to restore to society people whom misfortunes and vicious habits have made obnoxious to the penal laws of the country.

The plans of the Society have all a close relation with the leading objects of its formation, as expressed in its title, "The Alleviation of the Miseries of Public Prisons;" not merely the lessening of one kind of suffering, not merely the abolition of that kind of suffering, but the persistent, peaceful prosecution of plans to diminish all *evils* in the administration of prisons; not to destroy prisons, not to destroy their just terrors; but to have their discipline so regulated that no bad principle in the man incarcerated shall be made worse, and the whole administration of the penal laws so modified and so enforced, that no injustice, no extreme of infliction, and no sentiment of maudling humanity shall make the prison less than a place in which to guarantee society against violence and fraud, and to insure to the guilty a just punishment for crime, while that punishment is made to minister to the moral improvement of the convicted offender.

And that leads to a remark, that it is not one of the plans of the Society to remove the real offender from the righteous inflictions of punishment. This Society enters into no discussion whether capital punishment shall be abolished or continued; whether this crime or that crime shall have the heaviest penalty. Its desire is that no cruelty be practised upon the prisoner, and that his punishment shall be so ad-

ministered that he may see and comprehend that in all things, "honesty is the best policy; and the Society advocates that disposition of the prisoner, while he is a prisoner, that shall insure the greatest improvement in his moral condition. It has arrived at a conclusion on one point, which has a relation to the object of its existence, viz—separate confinement of prisoners as a means of dealing with the mind, and preventing the contagious influences of vice. On that point the Society has ceased to argue; it has placed before the world the evidences of the correctness of its plans in that direction, and points to the adoption and successful practice of that principle in other parts of the world.

This Society desires to leave to the Courts the sentences of convicts, and to see that in the house of punishment nothing is done by authority that shall close the door to improvement, while, by its own efforts, nothing shall be omitted that shall encourage repentance, and assist in improvement. The plans which have been formed by the Society include, also, the extension of its views in other parts of this country, and in other countries; but the Society does not press itself upon public notice by any exhibition of its numbers, nor invoke comment, or court attention by public discussion.

Thus, *consideration*, if not *honor*, may be claimed for our Society from its plans.

We come now to consider what this Society has done, what has been the direction and the result of its labors.

What was the state of our jails before the existence of this Society, and what is the state of those jails where the influence of this Society has not been felt,

or where the spirit which animates the Society has not been felt and exercised by others, it is not necessary now to inquire too closely. In our report for 1864 and 1865, we gave the observation of members of our Society visiting prisons in our own State, and what they saw and heard was not creditable to the administrators of our prisons. The miseries of prisons before the existence of this Society had no alleviation but in the discharge of the prisoners by law or by death; some prisons exceeded others in loathsomeness, but all were the abode of misery, and many were schools of vice and crime. To be in prison was regarded as the end of all hope—to have been in prison was enough to cut off all confidence. The jail then seemed a place of purgation, where what little of good had been left in the heart of the offender was purged out, and the prisoner came forth perfected for the great work of crime. The squalledness of the place and the mental torture and physical suffering endured there wrought no idea of improvement; the love of self which lead to incarceration, received in addition a hatred for those who procured and those who sanctioned that incarceration. The hands that consigned and conducted the convict to his penal residence were conductors of the worst passions that invade the human heart; and the hand that was extended in fellowship to welcome the brother convict sealed the bad passions to his ruin.

We have said that it is not necessary to present arguments in favor of the Pennsylvania system of separate confinement of prisoners, but when we undertake to show "what has been done" we should overlook an im-

portant result of our labors were we to omit to notice the fact that in England and Ireland, where the idea of philanthropy is avowed in all attempts at prison discipline, it is admitted that just in proportion to the approximation of their system to the plans of separate confinement, is the success of attempts to improve the morals of the prisoners. And in this country, while some writers oppose separate confinement they seem to admit that much of the failure of imprisonment to improve the convict is due to the bad influences of the very bad upon the less advanced in crime.

The New York Society established upon grounds similar to those occupied by this Society, with reference to the general alleviation of the miseries of prisons, declared in its last year's report upon the means of improving prisoners : "there can be little improvement in our common jails until the prisoners are ENTIRELY ISOLATED AND RIGIDLY KEPT IN SEPARATE CELLS."

If the work of separate confinement in the New York prisons is not yet accomplished it is a source of gratification that a Society so important in its numbers and fiscal means, and, most of all, in the zeal, disinterestedness and talents of its members, has declared itself in favor of that great principle ; has strengthened the argument which this Society has from time to time, put forth on that subject ; has sustained the practice of the penitentiaries of Pennsylvania, and has shown itself in accordance with the new opinions in England and Ireland.

In works so important as prison discipline we must not expect rapid changes. Systems are established ; men are employed ; large costly houses are already erected ; but

**taxes for convicts are not acceptable. We must repeat our arguments, we must industriously compare results, and we must look hopefully to the laborious inquiries of the men, who, whatever views they may have entertained and expressed on the subject, are open to conviction and willing to adopt and sustain what may be proved to be good.**

Pennsylvania was fortunate in having commenced the erection of her penitentiaries after the commencement of inquiries as to the best mode of their construction, and the best means of making them instruments of improvement as well as of punishment. With them she had no system to change nothing to unlearn.

One good work has been done by our Society, one that was necessary to any effort at improvement. One without which we could not hope for any success in plans of prisons or treatment of prisoners, we mean the effect of the labors of the Society through its visitors to the County Prisons of this State and the penitentiaries and prisons of neighboring States. The first labors of these visitors has been to awaken those connected with the administration of prisons, to the fact that, their plan or want of plan has produced no good to the community, because it has wrought no good to the prisoners. It may be considered something to have a thief shut up for three months where he cannot, in all that time, annoy the community by his depredations ; but, it is mortifying to hear that these three months of comfortable safety have been purchased at the cost of future depredations, which the sharpened wits and stronger hostility of the prisoner will make more oppressive.

It is now largely, almost generally acknowledged, that the system of discipline in County Prisons is an utter failure, even where there *is* a system, and that generally no benefit comes to the prisoners and no safety to the community from the treatment of convicts. One other benefit comes from the laborers of this Society, not only have Jailors and Inspectors been satisfied that there are great deficiencies in the plans which they are to execute, but philanthropic citizens who have had no interest in the affairs of prisons, begin to confess that they ought to feel and express an interest. They acknowledge that there is a work before them and they need only co-operation to enter upon that work. In some counties the work is begun, and prison discipline is blended with prison instruction, and the labors of the visitors are rewarded in their new hopes for the amendment of their prisoners; and the privations of the prisoners are compensated for by strong resolutions to do better, and a feeling of gratitude to God and man for the sense that they are not forsaken by one nor neglected by the other.

It was not enough that a Committee of this Society visited nearly every prison in the State, and ascertained its condition and discipline, nor was it deemed enough that corresponding members were engaged to give information of the state of, and changes in, our prisons. A second mission followed up the work, inspirited resolves, and secured action; and even beyond the limits of our State the good work has been commenced; an awakening of the public mind to the true uses of imprisonment, to the benefits desirable to the prisoners and to Society from incarceration is manifested, and there is little doubt

that the subject of prison discipline and prison instruction is about to be understood, and its benefit diffused.

On this point we may add a word or two. It seems almost a contradiction of terms to deny, that advancement has been made in the work of improving prisoners, even where no system prevails; but a plan of building prisons and a system of discipline for the prisoners may exist, may be carried out indeed, with no improvement to the inmates of the penal house. It is true that in general, wherever there is thought enough given to the construction of prisons and the management of prisoners, there is less left to accident than in jails that have been constructed with no view but detention, and conducted with no object but punishment. But we have had occasion to notice that while some *taste* has been manifested in remote counties in the construction of prisons, and a showy outside has made the jail a sort of set off to the Court House, the laws that make merciful the decision in the latter places, have not found correspondence in the rules which direct the affairs of the former.

In the handsomest jails that have been erected there has been found little within to correspond with the beauties without. Reports have indeed been made of the number and character of imprisonments, and the cost of detention and of clothing and feeding; but nothing is said about the effect of the imprisonment upon the incarcerated, unless the enlarged bill of mortality may be regarded as a summary of physical results, or the swollen list of "recommitments" be taken as evidence of moral effects.

It has been deemed an established conclusion that the

convict is to be regarded as an irreclaimable scoundrel, and as his hands have been against some, so in a spirit of stern virtue every man's hand and voice must be against him; and he seems to evince the greatest sense of public virtue, who, the soonest and longest leaves the the culprit to the operation of legal vengeance. Against this spirit the action of this Society has been directed, and it is thought that its action has been productive of good.

The triumphs, or rather the success of our Society must not be measured by the number of converts that have been made to its distinguishing dogma of separate confinement, that is a triumph in the right direction, because it ensures the successful application of almost all our plans for the alleviation of prison miseries. But we must consider also, how the humane plans connected with that scheme have been applied where from various causes it has been found impossible to make inroads upon strong prejudices—or where those inroads having been made, it is yet impossible to adapt the prisons to the discipline of separate confinement. Many prisoners have been instructed in the great rules of religion, even where companionship of evil existed, and the omnipotence of truth has had its highest demonstration in the effect of that heavenly principle upon minds exposed to all kinds of antagonistic influences. Something has been done—much has been done, where all can be effected only by the adoption of the separate system.

The work is going on; hand after hand lifted to forward our undertaking has fallen, palsied by death; but other hands have been lifted, other hearts warmed, other

zeal influenced, and the revolution in prison construction, and prison discipline is going on. *Such revolutions never go backward.*

---

## PRISON SOCIETY IN CALIFORNIA.

Under the head of "What has been done" in the preceding article in the present number of the Journal, we illustrate the progress of the alleviating principle of humanity in this and the neighboring States. We are, quite accidentally, in possession of an extract from a "San Francisco Gazette" which gives a beautiful illustration of the movement in that distant part of our country, with regard to alleviating the miseries of public prisons.

From an imprint on the corner of the envelope of the extract, we learn that there is a Prison Society in existence in San Francisco, and that it bears the title of California Prison Commission, and that it has an office in San Francisco. The letter is addressed "Prison Aid Society, Philadelphia," and a note in the corner says, "Will the Postmaster give this note the right heading as the name may not be correct."

The request was complied with, unless indeed, some of the retail liquor stores in the vicinity of the Moya-mensing Prison, should put in a claim to be regarded as "prison aids," as undoubtedly they greatly aid in sup-

plying a population for the prison, though they do not aid the prisoner.

It must be of interest to our readers to know that something is being done in California to alleviate the miseries of prisons, and can scarcely fail to gratify their curiosity to know *how* it is done. We therefore insert in our report the following extract from the California paper :

PRISON COMMISSION MEETING.—On Tuesday evening, the Trustees of this Association met to hear and consider the report of their General Agent, Mr Woodworth, for the quarter since the previous meeting. The State Prison, the County Jail and the Station House, are now all regularly visited by the Agent, as often as occasion requires; the State Prison once a month, at least; the jail, more frequently, and the City Prison, every morning. The object of the visits to the last, is to inquire into the case of each person confined there, and to afford such assistance to those without friends or means, as it may be proper to give by labor in collecting facts bearing upon a given case, by procuring counsel, by mediation between opposing parties, etc. In every instance, where a prisoner is in danger of being sent to jail, and his previous known character and the circumstances attending the charge against him will warrant his interference, the Agent endeavours to exert his influence to save him from the disgrace and contaminating influences which such an imprisonment would involve. In his efforts, he is kindly assisted in every way which justice will admit of by the officers of the Courts, those of the prison, and other members of the Police Department, as well as by members of the bar, who have volunteered their services whenever they shall be needed. Each inmate of the jail is conversed with at various times, and as many at the State Prison as the circumstances will admit of. Every one there is seen at least before his discharge, and all from the different houses of detention who choose to accept the Agent's invitation to call on him, are met at the office of the Commission, and there afforded such advice and material aid as circumstances seem to require, and it is within his means

to give. A few have been supplied with employment, and others have been enabled to find it for themselves, being counselled and assisted in their efforts, until successful. The great deficiency now is in the treasury, amounting, for the quarter, to \$175, and making the Society a debtor to that amount. The friends of the cause must come up to the assistance of the Agent in his work, or he will not be able to accomplish what is expected of him.

The following are some of the statistics of work performed by the Agent during the quarter : Whole number of interviews with prisoners, before and after their release, 854 ; number of prisoners conversed with for the first time, 412 ; number assisted in various ways, 106 ; number furnished with board for periods varying from a single meal to three weeks, 15 ; number supplied with money in small sums, generally those leaving the city for the interior, where they had friends, or hoped to find employment, 14 ; with clothing, 4 ; number furnished with means to leave the city for various points, 14 ; number released from confinement, (in the City Prison,) their further detention not being demanded by justice or the interests of society, such release being secured by the efforts, in various ways, of the Agent, 32 ; commutation of sentence secured in three cases ; visits to the office of the Commission by discharged prisoners, 100 ; visits by the Agent to the State Prison, 5 ; to the County Jail, 44 ; to the City Prison, 81 ; addresses to prisoners, 41 ; letters written, 34 ; articles for publication, 5 ; money collected, \$288 50, and about 1000 business calls made. Correspondence has been opened with several societies similar in character in the East, and documents received from them, bearing on the work, which it is designed to place in the hands of persons who need and who desire information in regard to the nature and practicability of such enterprises as the one undertaken by the California Prison Commission.

A pencil mark on the margin of the newspaper scrap, says a meeting was held on June 5th, and adds : "A Sabbath is spent on each visit to the prison at which about 150 attend, seeming much interested. There are now more than 700 convicts in the prison, with a continual increase."

## THE CAUSE.

a | It seems almost natural that those whose inquiries and labors are among the miserable, the suffering, and guilty, should be lead to inquire into the cause of that suffering, and the guilt which they encounter. And if it be true, that a knowledge of the cause of disease is necessary to its cure, it cannot be doubted that those who would meliorate the condition of the suffering and lessen the guilt of the criminal, must understand something of the cause, the ways and the progress of crime and misery. If we see a family in squalid poverty, and find that the parents are given to excessive use of intoxicating liquors, we declare at once that intemperance is the cause of their degradation, and that is undoubtedly a right conclusion. Intemperance may be regarded as the proximate, the immediate cause of the evil. But is there not something far back of that, is there not a cause for that cause? Theft, fraud, peculation, lead men to the prison, and are therefore a cause. But what leads to theft, fraud and peculation? These are inquiries which we do not propose now to answer at large. But we purpose to insert certain facts and argument, and thereby to provoke inquiries into these subjects of social science, and to invite the publication of the results of those inquiries for the benefit of the community.

Intoxication, the excessive use of strong drinks is *the* evil of our country, it is an evil in most countries where strong drinks can be easily obtained. It is often the

resort of poverty and wretchedness, where poverty and wretchedness are the prevailing conditions of the country. It is the practice of the accidentally wealthy and the idle, where accidental wealth and idleness are prevalent, drunkenness is resorted to by some as a means of diminishing the immediate suffering of poverty and disgrace; and drunkenness is practised by some as a part of the enjoyment of wealth and freedom from toil. But neither sudden wealth nor protracted poverty necessarily lead to intemperance.

If we search the records of our criminal Courts, we shall find that the calendar is charged with a majority of names of the destitute poor.

If we look into the records of trials in the commercial metropolis of the nation, for at least three years, we shall find that the number of delinquent rich is quite equal to the proportion of that class to the more abundant poor.

The contempt of the ordinary means of gaining day by day his daily bread, has lead the rascal to abstract portmonaies from the pockets of city rail-road passengers, and conducted him to the Prison. Thirst for adding millions to the possessed millions, has lead the millionaire to fraud and the Penitentiary.

It does not seem that absolute want in this country leads many to the commission of crimes, at least, it does not appear that those who are detected in crimes, and punished therefor, had resorted to all the means of obtaining an honest living, which were available, or been content with the competence which they had inherited or achieved.

Vice and crime are certainly measurable in some degree by general or individual want, and in proportion to the difficulty of obtaining honestly a living, at least in some countries, if not yet in our own, is the augmentation of crime. Crimes against property which lead to crimes against the person.

We will not now cite cases in the criminal experience of our own Country to illustrate the last point, viz : that crime is in some degree dependent on the difficulty of obtaining an honest living. It is true that in almost every city and town in the State, (and we have reason to think it is so in other States,) commitments for, and conviction of, crime have greatly augmented since the close of the war, and the return of a large number of men with the habits of the camp. As a general rule, many persons entered the army in that order to obtain a reward in bounty and pay, without persistent and regular toil, which becomes those who have not the faculty of "art-labor." And many of them who returned, came in such numbers that the ordinary wants of business and trade cannot take them up. But we see that many, ashamed to beg, and unable to procure situations such as they might desire, and which they could fill, and too *good* to aid themselves by injuring others, have resorted to the means of message bearers, and seem to promise to make profitable to themselves as it is respectable, a means of living that was scarcely known in the city before, For the rest, those that succumb to temptation, or those that do wrong from old habits, and without encountering temptation, they could, if they would, obtain a good living without wrong doing,

and they have no excuse, in the state of the times, nor in their own inability to toil.

But the effect of want, or the scarcity of food, on the morals of a community, is worthy of note, and we find a general and particular reference to the subject in the Annual Report on the Penitentiary establishment in France for the year 1863—a statement which seems to make the price of wheat the standard of morality, as a sort of penal thermometer, a map is given, in which the rise and fall of wheat is marked, and the number of attempts, at fraud and robbery, is given for each year.

The Report says: whenever there has been a considerable rise or fall in wheat for any considerable time, the criminality of the country has followed the same course. For example, from 1845 to 1847, the price of wheat rose from 19 francs 76 centimes, to 29 francs 61 centimes, and the number of convicts rose from 10,818 to 17,567.

From 1851 to 1854 the price of wheat rose from 14 francs to 28 francs, the number of condemned rose from 14,678 to 20,442.

From 1856 to 1859, the price of wheat *fell* from 30 francs to 16 francs, and the number of convicts from 18,222 to 14,655.

From 1859 to 1861, the rise in the price of wheat from 16 to 24 francs was followed by an augmentation of the number of convicts from 14,615 to 16,518. And the engraved illustration of the relations of the price of wheat with the numbers convicted in the Criminal Courts, sustains the view of the writer.

We may not expect to find so marked a relation in

this country between the price of wheat and the number of convictions, as labor here is always, and in all parts, in better demand than in France; and while trifling fluctuations in the price of the "Staff of Life," scarcely effect the morals of society, the means of honest livelihood are so attainable, and the resorts so numerous that the price of any one article can scarcely be considered as any test of the security of its owner in its possession. When we consider here the price of food, we must take into consideration the price and the demand for labor. Often when wheat is cheapest, there exists the greatest temptation among the poor to help themselves to the possessions of others. The price, or rather the demand for labor, is here much more likely to connect itself with the crimes of the country, than in the exaltation of the price of wheat. Hard times in Europe multiply crimes in this country, not by making our own people more criminal, but by throwing into our cities immense immigration of criminals from abroad. Without that accession to the ranks of felons in this country, we should in crime, much more than in legitimate enterprise, show the effects of our lack of years. We are certainly not without the record of criminality in this country, border ruffianism, the land-piracy of the south-west, and the ingenious villainies of the cities, have shown our people not without genius to plan and boldness to execute felonious acts; but these plans and their execution have been much extended by foreign genius and enterprise. The crimes take the form, of course, which the circumstances of the country suggest; but in their execution they have the advantage of

foreign discipline and experience, driven hither across the Atlantic by the higher discipline and greater experience, which their prevalence gives to the European police.

We must of course, concede some little weight to the argument, that "poverty is the mother of crime," since the number of detected and convicted poor is in a much greater proportion, than those of the convicted rich. But we must make some considerable allowance for the influence which riches may exercise in preventing conviction. And we must not be unmindful of the fact, that love of felony, a fondness for the trickery, the excitement and risks of crime, keep many in poverty and lead them to *conviction*, when they might with less ingenuity and industry, have acquired competency in honest legitimate pursuits. So that, in their case, it was not poverty that made them rogues, nor in them was there a fulfilment of Solomon's axiom—"the destruction of the poor is their poverty." Their destruction, the destruction of their schemes and hopes came from the relation between fraud and failure, wrong and suffering.

But men do fail in their pursuits without fraud in either plan or execution, and the felon convicted of criminal acts to obtain money, will usually plead his *want* of that which he sought to obtain, and assert that if legitimate means would have procured him that which he sought, he would never have resorted to unlawful acts.

The plea of the culprit is not a valid argument in morals, probably many who get possession of the pro-

perty of others by violence, would forbear that violence if they could obtain the property by lawful means, though it does not appear that such is always the case. Man's wants frequently augment with his possessions, and "increase of appetite grows by what it feeds on." He who when a youth, was content to feed his father's flock, and live by his own industry, no sooner rose into wealth, than he seized the solitary lamb of his destitute neighbor, that he might display hospitality without diminishing the number of his own sheep.

It is the wish for something and not the *want* that leads to crime, and that wish is as powerful in the rich as in the poor, and as often leads to crime, not always to exposure. The temptation to arrogance and over-reaching is in wealth, the temptation to pilfering is most in poverty. Solomon desired to be delivered from wealth least he should become arrogant; and to be spared from poverty least he should steal. But arrogance is not the necessary fruit of wealth, nor stealing the certain inheritance of the poor.

Then, why are the rich arrogant? and why do the poor steal? Wealth and poverty are co-relative terms, and the idea represented by either is not positive. There seems, in this country to be no standard by which to measure popular wealth. When a million was considered a large possession, a wealthy man in New York in a spirit of philosophical consolation to the less fortunate, remarked, that he did not think that much money was necessary to comfort, he had no doubt that the man with half a million could be as happy as a rich man. And the miserable object who finds a

shelter in a barn on an inclement night, looks forth upon the storm with feelings of commiseration, for the *poor* wanderer who has no such retreat.

Yet millionaires will exist and be envied; nay, so much public good may result from the very means by which great wealth is acquired, that one scarcely envies the man who has obtained it even while he lives; and so much good often results from the disposition of his horded million, especially after his death, that men forget the triumph of his acquisition, and wonder that he had not died sooner that the benefits might have been earlier dispensed.

One cause of the crimes which multiply around us, may be found in the growing indisposition of young persons to seek their living by regular daily labor; and it is perhaps to be added, that this indisposition is encouraged by parents, who have themselves acquired a respectable position by constant devotion to their trade or occupation, but who, think it an honor to themselves to rear their children to some learned profession, or place them in some position where the head and not the hands must do the work. All the learned professions are crowded by these aspirants, who have no vocation for the duties of the place, and the mercantile ranks are overcharged with young aspirants, who have no taste for the economy of trade, and no talents for the enterprise of commerce. The error is discovered too late to send the unsuccessful one to employment in which he might have done his duty to society, and so he hangs useless at last upon the community awaiting for something "to turn up," something to offer, and snatching at proposi-

tions that offer momentary relief, but which too often involve him in some disreputable combination, and ruin his character, and drive him to more obvious misdeeds.

We have shown by quotation that in France the price of wheat is the true criterion of general morals, that is, with the class that finds its way into the lower Criminal Courts. Ten francs advance on the price of a bushel of wheat, sends seven thousand men to prison beyond the number that were convicted before the rise. With us the increase of convictions in our Courts does not appear to have any relation to the price of bread, and strong as it may appear, not even the price of intoxicating liquors is chargeable with the augmentation. In France it is the man and woman who working steadily cannot earn enough to buy their daily bread at the augmented price, or those who willing, cannot find work, that yield to the terrible temptation and steal, that find their way into the prison and swell the proportion of prisoners to the price of wheat. In this country it is the unwillingness to labor, the indisposition to set down to the drudgery of regular employment and earn bread honestly that swells the criminal list, between which and the price of wheat there is not the least relation. Cessation for a demand for labor might lead to a multiplicity of felonies, but the demand for labor never ceases in this great country, or a famine might induce the poor to steal that daily bread which would come neither by labor nor prayer, but there are no famines in this land.

Wheat at two dollars a bushel invites the laborer to a richly compensated toil on the extensive grain

fields of the West. Wheat at one dollar a bushel creates a demand for labor in the cities.

This country is full of enterprises, some of them must be hastened on, and the price of labor goes up with the necessities of the undertaking. When labor by any mutation in commerce or manufactures seems in less demand, new enterprises spring up encouraged by the cheapness of labor, and employment is at once supplied to those who would rather work for their bread than steal it.

Dislike of steady work then is one of the evils of the time, and that which leads to violence and theft. Some indeed, love to hang about their old haunts, where they would work if they had employment, but they are too inert to accept an offer that calls them to a distance, and so they sink into vice. We need a reformation in these matters, and that reformation must begin in the estimation in which labor is held. Industry is needed, willing, cheerful industry. There will always be some evil ones for the devil to tempt, but we need not have a race of idlers to tempt the devil.

---

## THE ARMY AND THE NAVY.

We elsewhere speak of the causes of vice and crimes that abound in the country and abroad. These general causes operate, in their particular way, at all times and in all places, but not alike at all times, nor in the same direction, in all places. But there are times when cer-

tain crimes abound where previously they had been noticed with what may be called a fair average with other offences. Of late the reports from all parts of the country show a vast amount of conviction for felonies and offences against the person. Members of the Society visiting the Penitentiary, were struck with the great number of young men sent to the cells of that Institution; and on conversing with them, in the discharge of their duties as visitors for the Society, it was found that a large portion of these new convicts were returned soldiers. Further inquiries showed that the same proportion of soldiers to the whole number of prisoners was to be found in the County Prison. The subject seemed so important, that the Society was induced to institute inquiries abroad. In the first place, by a Committee of their own number. That Committee made a partial report, which shows that great industry was exercised, and much information was received. We subjoin the report, which will be found interesting, as showing the establishment of Prison Societies in other States, as well as proving that the army and navy have supplied a large number to the list of prisoners.

*Report of the Committee to Inquire into the Causes and Circumstances relating to the rapidly filling of our Prisons, &c.*

Since the appointment, your Committee have taken some steps, through written communications, to obtain information on the subject. A member has visited all the Penitentiaries, and most of the jails of the principal cities of ten States of the Union, including the District of Columbia; and after consulting with the influential men of each place respectively, the conclusion is come to, that the move which has been made by this Association was well timed. After communicating

the object which induced the inquiry, it was found that good men in every place were prepared for the work of forming Prison Aid Societies. Some had already entered into the work; preliminary meetings were held, and committees were appointed to carry into effect the organization of societies in the following principal cities, viz; Wilmington, Del., Wheeling, W. V., Columbus, Cincinnati, and Cleaveland, Ohio, Michigan City and Indianapolis, Indiana, Jackson and Detroit, Michigan. At Joliet, Illinois, there has been formed, near two years, an Association admirably covering the whole State, their Governor presiding; they have hearty co workers in Chicago. Also, at Baltimore, Md., there had been a Society for some years, but partially suspended during the war, is now renewed. Some care has been taken at Washington, D. C. by one or more, who will give it renewed attention. At Jeffersonville, Indiana, and Louisville, Kentucky, individuals have taken it in charge, and will report their success. At Pittsburg, an Auxiliary Society is partially formed, which is doing much good; have been instrumental in reforming the County Jail, and have appointed an Agent similar to our own. At Harrisburg, also, there is a partial organization; one of the leading men, Dr. Ray, gave it as his opinion, that a circular, addressed to Auxiliaries and corresponding members, stating clearly the objects in view, would have a good effect at this time; which sentiment we feel free to indorse and recommend. We find in many places a growing belief that these associations are calculated to exert an influence beyond mere local aid; that a correspondence may be had with kindred societies in every place whereby there may be collected and concentrated at some central point, an amount of information to be published which may benefit every civilized country; cherishing a hope that prisons everywhere may, in time, be so conducted that they may become Reform Schools as well as places of punishment for crime, it is thought that something further may be effected by the Committee if it should be continued. To illustrate the foregoing, we give the result of the enquiries made at one jail out of many. In visiting all the prisoners on the ground floor, in their separate cells, at Cincinnati, there were found to be thirty four, twenty-six of whom had been in the army or navy—mostly young men who professed to have had early religious training, one of whom gave his views in this language: "The association in the place has a very demoralizing effect; the young men

say their credit is gone; no one to advise or encourage; in fact feel deserted by all except those who are on a lower level than themselves, they therefore plan for a future life of dissipation.

On behalf of the Committee.

JEREMIAH WILLETS,  
GEORGE TABER,  
JOHN J. LYTLE.

In addition to the Committee, whose report we give above, the Society felt at liberty to call on some of their corresponding members for information on the points under consideration, and the Hon. J. Pringle Jones promptly replied with regard to the Prison in Reading, the place of his residence. Our readers will probably recollect Judge Jones' valuable contribution to the amount of information in the Journals of last year.

JAMES J. BARCLAY, Esq.,  
President Prison Discipline Society.

DEAR SIR,—The Circular of the Society was received on Saturday last. Having prepared a blank, I went to the County Prison this morning, and went into the cells, where I obtained from the prisoners the answers which are embodied in the accompanying paper. I interrogated 41 prisoners, of whom I found that there were

Single persons,	-	-	-	32
Married "	-	-	-	8
Widower,	-	-	-	1
			-	41
Under 15 years old,	-	-	-	3
From 15 to 21 years old,	-	-	-	15
From 21 to 35 "	-	-	-	9
Above 35 years old,	-	-	-	14
			-	41

Natives of Pennsylvania,	-	-	-	-	-	25
Of other States,	-	-	-	-	-	5
Of Europe,	-	-	-	-	-	11
						—
						41
Persons who could read or write,	-	-	-	-	-	36
Persons " read	-	-	-	-	-	4
Persons who could do neither,	-	-	-	-	-	1
						—
						41
Persons who had served in the army or navy,	-	-	-	-	-	27
Persons who (being now 17 years old or less at this time) were too young to have served,	-	-	-	-	-	10
Persons who were above the military age,	-	-	-	-	-	2
Persons who were below it and might have served,	-	-	-	-	-	2
						—
						41

From this it results that very nearly every prisoner who could have been in the army was in it. But the number of prisoners is not greater than it was before the war.

The population of Berks County, by the census of 1860, was 93,818, of which 497 was colored. Of the 41 prisoners, one was a colored man. That gives a prisoner for every 2288 of the population, convicted or not convicted.

I note that there are 12 prisoners held for burglary. Nine of these were engaged in one offence, three in another. Of these burglars nine had *not* been in the army, one had been as a drummer, one as a teamster, and one as a soldier; the whole party was very young, some of them mere children.

Yours, very truly and respectfully,

J. PRINGLE JONES.

Reading, August 7, 1866.

The hope of the Society was, that these young men from the army and navy, who had fallen into a violation of law, which made them prisoners, had not sunk deep in the mire, and that timely interference might save many of them from a repetition of the unlawful acts. Certainly there is little hope for them without some such interference; and the remarks of the young men in Cincinnati show how hopelessly the poor fellows think their own case. It is hoped that a new interest will be taken in the situation of these young men throughout the country. We know that special efforts in their behalf are put forth in the Penitentiary in this city."

It may here be noticed, that the observations of regular visitors to the prisons confirms the idea entertained by the active members of the Society, viz., that most of those young men who had reached the prison from the army, seemed more accessible to kindness and good advice, and more willing to enter upon a better course, than those who brought them to the felon's cell. And thus encouraged, many who take a deep interest in the condition of prisoners, have felt encouraged to seek the pardon of some of these soldier and sailor convicts. And it may be added that, all other matter being satisfactory, the Executive of this State seems to have had pleasure in extending clemency to the class of men who had risked all for the nation. Though many prisoners that have been in the army and navy have been pardoned with the knowledge and by the aid of some member of the Society, it is not known that one of them has returned to the crimes which followed his service in the army, and preceded his residence in Prison.

## VISITORS.

It is consoling to the friends of humanity to see female visitors enter the cells of the guilty, and confer with them as with erring and unfortunate sisters. This requires a peculiar discipline of mind, and some gifts that few can boast. There is a repugnance felt by women generally to any association with the *bad* of their own sex; and often those who are in care of the female prisoners, hear from visitors of that sex, the exclamation—"Oh! I wouldn't for the world go into the cells with such prisoners." Others look along the cells, and in upon the occupants, without feeling at first the character of the place, or its inmates. Conversation through the wicket, creates often a respect for the mind of the prisoner, and for a time all idea of crime is forgotten. When the wicket is closed there is sometimes a conversation like the following between female visitors and the attendant Officer or Inspector.

*Visitor.* That seems to be a very good young woman?

*Inspector.* She behaves well, and she knows the proprieties of life.

*Visitor.* I am quite interested in her, so young—so good looking, and so well informed. I would like to see her often.

*Inspector.* We all feel interested in her, and hope that in spite of her previous conduct, she may be saved for usefulness.

*Visitor.* Why what was her conduct. What is she here for?

*Inspector.* Her conduct certainly could not have been good, or she would scarcely have reached this place. She is imprisoned for theft.

*Visitor.* Oh dear! what, a thief? Did she steal?

*Inspector.* Yes, that often connects itself with a life of impurity.

*Visitor.* Shocking—let us pass on to another. I do not want to see any woman of such a character.

*Inspector.* But my friend the next and the next, are no better. Women are not sent to this house for any particular virtue, and if it is only the unfortunate good that awaken your sympathy, you will have little exercise for kind feelings in these cells.

That conversation really took place, and when the little party descended to the cells on the ground floor, they saw a "Lady" sitting on a small bench, listening to the recital of a Bible lesson by a black woman, whom she had taught to read.

*Visitor.* How kind in that lady, to go into the cell of a negress.

*Inspector.* Yes, she has spent many days in that kind of labor, when she might have enjoyed them elsewhere with her ample means.

*Visitor.* But the colored woman—what brought her here?

*Inspector.* A dissolute life, and a robbery.

*Visitor.* And that lady goes into the cell with a dissolute black thief! She must be good.

Those who visit Prisons with the hope of doing good

to the prisoners, must approach them closely, gently, confidingly. They must win confidence by confidence, and they must insure resolutions of good, by showing they believe that resolutions of good may be formed, and can be kept.

The feelings which were manifested by the "Visitor" just noticed, are those most common. The labors performed by the lady in the cell, (just referred to,) are most rare. Still more rare are persistent labors, and an undisturbed round of visitation, that is kept on the day appointed, as true as the day comes, visits towards which the expectant prisoner looks with constant thought, for which she longeth, "as the hireling longeth for the shadow."

From these "labors of love," from these visitations of gentleness, from these exhibitions of forbearance, from these repressions of personal repugnance, from these manifestations of sympathy, repeated week by week, come the benefits which the prisoner derives from the companionship of the virtuous.

No Pharisaical parade of superior sanctity annoys the convict, she understands that her visitor regards her as a human being, and a sister, and in a little time the difference between their circumstances ceases to be a bar to the reception of instruction, till a better sense of right takes possession of the mind, and a sense of duty to God follows a comprehension of the violated duties to society.

Of the many visited in the course of a year in the Female Department of the County Prison, a small number may be regarded as reclaimed. Some do indeed go

forth, and meet the temptations of life with a firm and successful resistance. Others are sent where the temptations to wrong-doing are few, and they succeed, especially if in the selection of a place, regard is had to the temptation by which she is most likely to fall.

Hundreds leave the Prison in the full promise, and probably with a strong resolution to do wrong no more; but they have no means to avoid the place, or the companions of early associations, and they return to their vices and to Prison.

Some, by the assistance of humane persons procure situations which they fill with credit, till in an evil hour they meet some prison associate or some former acquaintances—and yield to the solicitation to share the social glass—the first glass is the signal for another, and the whole work of reform is destroyed, and moral destruction ensues. We need the faithful visits *to* and *in* the cells, and we need some one to take the discharged convict as she leaves the door of the Prison, and conduct her where the temptation to relapse shall not be too strong for her new and untried resolution.

What the female convict needs is the evidence of hope in the visitor. Deep sympathy and such gentle familiar instruction as will secure attention and perfect comprehension. Talking through windows or through wickets, reaching the hand through an iron grating will not be a good commencement; such intermediate objects are always suggestive of the unpleasant part of the prisoner's condition, and preclude perfect yielding to advice or steady listening to conversation. The female convict often exclaims when her kind visitor withdraws

from her cell, "I forgot I was a prisoner while she was talking to me, and it seemed almost as if she had forgotten that I was a convict."

One quarter of an hour of gentle association with the prisoner in her cell, face to face without the intervention of grates or door, will produce more effect than if for whole hours "the voice of friend or kinsman had *breathed through her lattice.*"

What the discharged convict needs is some home where her faults and their punishment should not be generally known, where delicacy would be exercised with regard to the past, and where confidence and comfort might not be disturbed by excessive caution, at least by the constant evidences of suspicion. We must plant before we can hope to harvest, we must trust before we can be assured of improvement, we must compel the convict to earn all she gets before she gets it; but we must allow the discharged one a little credit—some anticipation of profits by way of capital, it is an investment that amply repays the supplier and enriches the supplied.

The patriarch saw in his vision a ladder reaching up to heaven, and angels were ascending and descending—shall man refuse to the cast down and the lowly the means of coming up to the paradise of his confidence and his rewards? He too, may aid angels to descend.

"Give me, where I may stand," said the Syracusan philosopher, "and I will raise the world." Give the philanthropist some spot upon which to use his lever and he will do more. He will settle and quiet the world. He will bring peace to the disturbed mind, and holy re-

solves where passions have ruled and ruined. He will make no compromise with crime, but he will render compromise unnecessary, because he will show the deformity of iniquity. Vice is not likely to cease, nor crime to be driven from the earth by human agency, but if a few human beings are lifted from the slough of iniquity and washed into newness of life, if the persuasive powers of kindness can bring the fallen into repentance, and the vigilance of constant sympathy sustain the repentant, has there not been found some where to stand more permanent, than that prayed for by Archimedes ? Has there not been applied a lever more potent than the Syracusan ever wielded ? To raise the world were something indeed, but to raise a debased human being above the world is infinitely more.

---

## S Y S T E M .

When we look over the Annual Reports of the Directors of Public Prisons in France, Great Britain and Ireland, we are struck with the evidence of an established system for the management of the penal institutions of those countries. And in France and Ireland we see the evidence not only of a system of management in each prison, but of a plan to add to the value of incarceration by connecting the various grades of prisons and transferring classes of prisoners from place to place, according to the character of their offences,

and especially, in consideration of their conduct as prisoners.

In Ireland the whole system of prison discipline may be regarded as the best in Europe, because it looks to the improvement as well as the imprisonment of the convict, and because it provides jails with discipline; but discipline accommodated not so much to the character of the offence as of the improvement which each convict has manifested as a prisoner.

We see there the prisoner followed from the hour of his conviction to the moment of his discharge by the ministers of the law, who punish with *certain* severity every infraction of rules, and who watch with constant solicitude the conduct of their charge, that they may discover and encourage, and finally, reward every evidence of efforts to improve.

It is not in one prison that the rule is applied, nor in one prison that the rewards are conferred, but the improving convict whose conduct for a fixed period has been of a kind to meet a certain standard, is transferred to another house where greater liberty is enjoyed, (or less restriction imposed,) and where he meets with others who like him have made some advances in the work of amendment.

With a view of setting forth the Irish system, we copy the following from a pamphlet entitled "Journal of a Third Visit to the Convict Gaols, Refuges and Reformatories, of Dublin and its neighborhood, by the Recorder of Birmingham and his daughter," in July, 1865.

As some of our readers may not be acquainted with the system pursued in the Irish Convict Gaols we briefly describe it. Imprison-

ment therein is divided into stages, subdivided into classes; the Convicts working their way upwards by industry and good conduct. The first, or Penal Stage, is passed by Convicts of both sexes in Mountjoy Prison. The able-bodied laborers when ready to enter the second stage of their treatment are transferred to Spike Island, in the Cove of Cork; the aged and weakly, and those whom it is otherwise expedient to employ as artizans, were formerly sent at a corresponding period to Philips-town, but in consequence of the great decrease in the number of Convicts, this and some other of the gaols they occupied have been closed, and they now remain at Mountjoy until they have passed through the second stage. From this stage, the Convicts, whether at Spike Island or Mountjoy, work their way into the third, called the *Intermediate*; a stage passed by the artizans at Smithfield Prison, in Dublin, and by the laborers at Lusk, where they inhabit iron dwellings erected on an open common. From Smithfield and Lusk they pass into freedom, generally on ticket-of-leave, as the license to be out of prison is usually called. The same system, with some modifications, is pursued with the female Convicts. All pass the penal and second stage at Mountjoy. For the third, the Roman Catholics are admitted to a Refuge, attached to a Convent at Golden Bridge, in the suburbs of Dublin, and the Protestants to one in Heytesbury Street, within the city. They must have earned a ticket-of-leave before they can be thus received.

It must not be assumed that all Convicts reach the highest stage or earn a license. But those who through idleness and other ill-conduct fail to do so, must nevertheless, under our present system of *time-sentences*, be discharged, at whatever stage they may happen to be found, the moment the sentence has expired.

We do not copy the above, nor do we refer to the working of the system in Ireland, because we entirely approve of it, but rather because it is a system, and because it works so much better than any separate action which preceded it in that country. The reader will notice that whatever may be the character of the discipline in the penitentiary and jail, whither the convicts

are first sent, these men as they advance and earn favor are sent to establishments where they associate with each other and labor in common. We have no time now, nor have we space at present to express our disapprobation or approval of such a system. We may say, however, that some of the best visitors in France in giving up a part of their objections to "separate confinement," profess to retain opinions favorable to this associate imprisonment as a reward for good conduct in the convict. We may say "if so much good results from separate confinement at first, if such benefits follow the separation of prisoners in the first part of their imprisonment, how is it likely that association near the close will be conducive of good?" Here one great benefit resulting from separate imprisonment is declared to be the fact that the discharged convict is not liable to be exposed by his fellow-convict, who, though he occupies a cell for years within twenty feet of him, knows nothing of the name, character or imprisonment of his imprisoned neighbor.

The Irish reports all speak of the great advantage of separate confinement, but it is evident that a want of properly constructed prisons is the cause of the subsequent association of convicts; and the fact also, that in association they may earn their living, and cost the tax-payers nothing for their support, is undoubtedly taken into consideration in the arrangements to which we refer.

The Journal of Mr. Recorder Hill, shows that great good has been effected by this conditional and limited liberty granted to convicts, as a reward for unexceptional

conduct in the various grades of prisons through which they pass. And he adduces the testimony of many manufacturers and agriculturists to prove that most of the men and women who pass through these stages of imprisonment, become useful laborers or servants, and are trustworthy.

The system includes the Reformatories for boys and for girls, and these are divided also, into Catholic and Protestant. The former generally under the care of Sisters of Charity or some other religious order.

One remark of Mr. Recorder Hill, evidently is worthy of note, viz., that none of these Reformatories have as many children as formerly, owing to a diminution of cases of crime.

The great and the good results of the Irish system are from the system, and its careful close administration. No Governor, keeper or assistant understands his duty to be limited to keeping the prisoner in. No more than would a teacher regard as a full discharge of the obligations of his profession, the retaining of his pupils a certain number of hours each day; prisoners and pupils are placed in the respective positions to learn to be, and to act, better.

It is a part of the experience of those who have been convicts, that with all their resolutions to do good and avoid evil, and with the persistency of resolution and action in the right direction, they have not been able to withstand the allurements or the threats of a fellow convict who may have discovered their retreat, and envied the success of their virtuous resolve. Conversations with returned convicts, show that the renewal of

their imprisonment was less due to the depravity of principles, than to the weakness of their resolves—less to the insincerity of their wish to be good, than to accidental renewal of association with those who knew them in a former imprisonment. So obvious, so frequent is the “surprise,” that poets have used it as a theme for their verse, and the dramatists have founded some of their most touching efforts upon the effect of the recognition of a vicious man, on the conduct of a repentant ex-prisoner.

So effective for mischief is this element that it extends to the lower classes of offences, hundreds of women sent to prison for drunkenness, will tell a visitor or the Inspector that they were doing well enough, and redeeming all their pledges to temperance and propriety, till they accidentally met with some former co-tenant of their cell, one who unrepentant had no confidence in the profession of repentance in others, and all good resolves are thrown to the wind by a ridicule upon the contrast of present professions with former doings. A woman, whatever may be the character of her previous offence can easily resist the argument, and even the ridicule of a man; but she is most vulnerable to such shafts from enemies of her own sex.

Herein lies one powerful argument against associated imprisonment, during any part of a convict's sentence. It is true that the statements from Ireland, do show some instances of reform among those who are permitted to associate near the close of their sentence. We are informed of the evidences of permanent reformation, especially as it is said that these “ticket of leave men”

hasten to cross the Atlantic as soon as they can find means.

In a country where the difference of ten cents in the price of a bushel of meal or a bushel of potatoes, causes a rise or fall in the moral thermometer, and still more where felony is most severely punished, we may expect that many find their way to the convict cells of the Prison whose morals are not deeply depraved. Hunger! hunger at home, hunger with wife and helpless children, and a sense of willingness to work if work and pay could be supplied, may be admitted by some poor men whose poverty is their destruction, as an excuse for violation of positive commandments, and the punishment and dealing of a Criminal Prison may work out a repentance, which no subsequent event can disturb; but where crime is the result of idle habits and fixed debased principles, there is less hope of repentance and more fear of unfavorable association.

We are not now attempting an argument upon the great question of separate confinement, not even of the relaxation in favor of those who may have earned favor by punctuality and propriety. We may find time and space for both of these questions in a subsequent number of this Journal; but one point we wish to consider established, and that is, that even a poor system well executed, is better than a good one poorly carried out.

And it is to the praise of France and Ireland, that they have a system. We know this by the statement of their proceedings, and it is to the credit of the prison management of both countries that they labor on a system, and that every part of their prison arrange-

ment has a distinct dependence on other parts, and is necessary to the whole. As that is the great thing needed in this country, we applaud the execution when it is manifest, and wish that where there is such fidelity in the execution, there was a perfection of system.

Let any one who has time to examine the working of the system in the Eastern Penitentiary, think what would be the benefit to the Commonwealth if that system was applied to all the Penal Institutions of our State, and each made accountable to the Commonwealth, as in Ireland and France.

The system or principle upon which the Eastern Penitentiary is managed is undoubtedly the best in the world; and we believe that it is conceded that that system is, in that Institution admirably, not to say perfectly administered; and we notice that in all public investigations of the situation and management of Prisons abroad, it is confessed that the separate system is that alone upon which the hope of reforming convicts can be founded.

But there are two systems that we desire to see perfected in this State, and, indeed, in every State in the Union.

One is, that of discipline, such as is practised in the Eastern Penitentiary in this city—separate confinement and steady, unabating firmness and mercy blended; and we desire to see this in every prison in Pennsylvania. The labors of the philanthropist and the moral teachers at the Penitentiary, are often rendered fruitless by the evil principles which the convict acquired or which were strengthened in the County jails, while he was awaiting

trial. But the system which we have applauded as existing in France, or England and Ireland, and especially in Ireland, has relation less, in the first place, to the discipline of the prisoners, than giving the full direction of all the prisoners in the State to some officer, or superintendent, whose duty it should be to receive the return of affairs in every prison, and once at least every year, to see that the situation of affairs at every prison, and the discipline, and all circumstances conform not merely to the statement but to the laws which create the office of Superintendent, and prescribe the rules for the government of the prison.

We have dwelt on this matter at great length in our former Report; but it is one of those measures so essentially necessary to a proper direction of prisons, that we feel it a solemn duty to keep it before the public, while we cannot doubt that, sooner or later, it must be adopted,

Among the inconveniences which the advocates of the "separate" system meet, are the opinions and efforts of a large number of philanthropists and public men abroad, who, having adopted in a true spirit a plan for alleviating the miseries of prisons, are more concerned to give permanency to their scheme of amending existing systems, than to adopt at once a plan that only needs adoption and prosecution, and demands no amendment.

Some good must follow the humane efforts of the good to improve the condition of the prisoner. Some prisoners have so thoughtlessly violated the moral law and the statutes of the State, that reflection and kindness soon bring them to repentance; and thus cases are

adduced as proof of the good operation of a particular system of prison discipline, when they are only rare evidences of the success of gentle suasion—proof of the good effect of the mode of dealing with prisoners adopted by this Society ; profitable in spite of the system in which this mode is introduced.

We hear from all sides of the success in this or that State or nation of the treatment in the congregate system. The success at best seems to be found in the least cost to which the community is subjected by their maintenance. Or, as in Ireland, the success of the relaxation of the separate confinement system, and the issuing of “ticket-of-leave,” that is the right to go out and work under the surveillance of the police, seems to be founded on the fact, that these men and women do not return to the penitentiaries whence they were conditionally discharged. But the great fact, a fact which concerns the good people of this country, is concealed, or not dwelt on, viz., that this ticket-of-leave person acquires a little money by honest labor, and comes to America ; and then there results another fact of vast importance, viz., that these emigrating ticket-of-leave persons, whose absence from European prisons is adduced as proof of the value of the system by which they obtain their ticket-of-leave, come to the United States, and many of them find their way into our prisons and penitentiaries.

If the credit of the European system of prison discipline rests upon the facility with which convicts can be sent out of the country to the United States, it may be doubted whether humanity or true policy suggests the adoption of such a plan *here*, as the rogues who visit

this country fear their ticket-of-leave at home, and there seems to be no other good-natured people who are willing to make their country the *refugium peccatorum*.

We contend for a system ; and what strikes the eye of the general observer in the various systems of congregate and *remittent* imprisonment is the working of a *system*, not the entire success ; and undoubtedly much good has been affected by the improvement in prison discipline under the system to which we refer, more good, perhaps, than the best and most humane effort could procure without a system ; but the true system applied with the same persistency would produce incalculable benefit that can never be approached or hoped for under these patched-up plans of improving bad systems.

---

## M E M B E R S .

A society of such antiquity as is ours is likely to have a full share of those who have the claims to glory which are sustained by the “ hoary head ;” and it is a beautiful exhibition of the levelling influence of true philanthropy that our meetings show a profitable mixture of the old and the young. The deliberate propounders of plans and the willing active participaters in execution. And in the agencies which we have established for the acquisition of a true knowledge of the state of our prisons, the old and the young have gone forth together

and agreed in the execution as they did in their formation of plans.

Among those whose names death has withdrawn from the list of members was Matthias W. Baldwin; he was not an active member, but a willing contributor, and his position as one of the Inspectors of the County Prison, afforded him an opportunity which he promptly improved of assisting the good work of alleviating the miseries of prisons.

The officers of the Society are unchanged. It is a source of regret that the first Vice-President, William Shippen, M.D., has suffered a permanent injury, which precludes the hope of a renewal of that usefulness for which the Society and humanity itself, were so much indebted to him. Like some others he must learn to direct his efforts into channels that are accessible, and where they will not fail of utility. Something of the wonted results may be missed, but nothing can deprive him of the gratitude of those who have seen, and of those who have felt his labors; nothing certainly can separate him from the delightful consciousness of having tried to do his duty in a sphere that lacks much of the attractions which distinguish some of the paths of philanthropy. And if the great have not recognized the benefit of such exertions it will be found that "the least of the little ones" has been blessed by labors which only God and that little one could appreciate.

Age and its infirmities are coming over others of the *acting* members of the Society, though they are yet *active*. But whatever of hindrance these natural causes may produce, they diminish no zeal and as yet they

weaken no efforts. Some are willing to do all for the cause in which they are engaged, not to hesitate, not to falter, but to "die in harness." Experience will of course teach all that the harness must be suited to the man as well as to the work, and prudence will suggest that portions must be laid aside that the other part may be useful—it is bad indeed, to fall without preparation, but it is terrible to smother from the thickness, or to be crushed by the weight of, the armor. Labors will be lightened and posts relinquished so that the abilities and powers of the agent need not be wasted upon a multitude of objects, when they could be abundantly useful if limited in their application.

It is not the augmented number of undertakings which procures benefit and entitle to honor, they often only tend to divide and divert the powers of action, the merit consists in limiting enterprise to the means of execution, in securing results by the full use of energies. "Whatsoever thy hand findeth to do, do with thy might."

---

## PROPOSED MATTERS.

### HOUSE OF CORRECTION.

Among the objects proposed by the Society and earnestly advocated by its members collectively and individually, is a "House of Correction" for the detention of vagrants and others committed on charges less than misdemeanors. This subject has been from time to

time before the public, and has for some years past only required an appropriation of funds by the City Councils, to ensure the erection of a House of Correction, equal to the wants of the community. The idea has been revived in Councils without immediate reference to the existing Act of Assembly; nothing has yet been definitely concluded with regard to the proposition, but certainly the public look for some action from the Councils. We wait the action with hope and with patience.

**CONSTRUCTION OF PRISONS.**—So much depends on the plan and construction of prison for the proper development of the system of administration, that we feel constrained to say that most of the old structures intended for the imprisonment of offenders were unfit for any such purpose, and we are sorry to add, that many of the recently built County Jails have little to secure approval, excepting perhaps, a façade. The interiors in many cases are little better for prison purpose than were those of a hundred years since. The idea of cells where prisoners may be retained and imprisoned seems not to exist, or at least, only to exist as an idea. It is true, that the laws of the State direct the exhibition of the plans of prisons to the Secretary of the Commonwealth for approval, and it may be equally true, that the plans of some of these new prisons have been seen and approved by that officer, but it is not certain that in the qualifications which the Governor of the State sought in the citizen whom he intended to make Secretary of the Commonwealth, he ever considered his ability to judge

of the adaptation of prison plans to the purpose of imprisonment. If he did, he must in the course of a few lustres past have discovered some mistake.

This idea is of importance, if in a well constructed jail there should be manifest some error in administration, that error may be corrected, and probably will be, when fully pointed out. But where the funds of a county have been liberally expended in erecting a prison which proves to be *unadapted* to the purpose for which it was constructed, it is scarcely likely, that another expenditure will be incurred merely to suit the views of those who wish to mend the bad, when their *punishment* seems to be well provided for.

**INSANE.**—We must not allow the occasion to pass without calling attention anew to the yet unsettled state of the duties which we owe to the insane criminal. It is a lamentable fact, that human beings deprived of reason suffer more in the way of consequence for any violation of law, than do the sane in the way of punishment, and it is to be feared that the *disease* of insanity is augmented and perpetuated in the poor, by the infliction of imprisonment, when the ministration of science in an asylum might have restored the sufferer to reason and society. Even though the unhappy one be irreclaimably insane, it seems a disgrace to the community that he should be treated like a criminal, and shut up with those charged with felony. It is a wrong even to the sane man charged with felony, that he should be made the companion of lunatics while he is awaiting the action that may prove his innocence.

The whole subject of lunatics with regard to the prisons of the State needs legislative attention, and policy and humanity suggest early action.

---

## CONCLUSION.

Satisfied by long experience and careful observation that the system of separate confinement advocated by the Society, and practised in the Eastern Penitentiary in this city, is the best, if not the only plan for improving, as well as punishing the convict; it will be the duty of the Acting Committee to seek and use all proper occasions to recommend that system wherever the offender against the laws is to be incarcerated.

Believing that direct moral dealing with the prisoner is essential to the great end of imprisonment, the Society will continue to send their members on missions of goodness to the cells of the incarcerated.

Knowing that there are modes of address by which the convict may be best approached, they will recommend prudence as an accompaniment of the generous zeal that moves the visitor; and while they cannot in the spirit of the Society and in the conscience of philanthropists, interfere with the dogmas of faith in which the convict was reared, and to which, spite of his crimes he is attached, the Society will see that such an attachment be respected, and that opportunity for particular instruction be afforded, and that the prejudice of creed be not wounded to the injury of morals.

Knowing how weak are all resolves formed in distress, against the temptation of bad associates and of utter

want when there is liberty to choose the evil as well as to avoid the good, the Society will continue its efforts to place the discharged felon in some position where he may be out of the reach of immediate want and the temptation to return with his associates to his former crimes.

Knowing how difficult it is to labor in any work that has for its object a public good, without the aid and countenance of the public, the Society will be cautious that their proceedings shall not be liable to censure for unchastened zeal, or immoderate philanthropy; and will in the future as now, appeal to the public, for that support to which, by its motive, action and objects, it may show itself entitled.

Deeply sensible that however earnest or persistent may be the efforts of the members of the Acting Committee, those efforts must fail of success in proportion as they fail to receive the smiles of an approving Providence, the Society will endeavor to maintain the spirit of true philanthropy in which it was formed and by which it has been conducted; and pledging itself to continued devotion in the work of "Alleviating the Miseries of Public Prisons," it will seek for the approval, and hope for the blessing of Him who first sent consolation and peace into the cells of the incarcerated Apostles, and then released them from chains and the prison.

All which is respectfully submitted.

JAMES J. BARCLAY, *President.*

Attest, JOHN J. LYTLE,  
EDWARD TOWNSEND, } *Secretaries.*

*January, 1867.*

## JOURNAL OF JEREMIAH WILLITS.

The Report of a Committee, is usually a statement of all that each member thereof did in the business committed to them. We give in another part of this number, a short but deeply interesting Report from a Committee, on the subject of the cause of the vast increase of convictions. The Chairman of that Committee, Mr. Willits, having leisure, gratified his own feelings, and the wishes of the Society, by pursuing his inquiries beyond the limits of the walls, and making personal inspection of a large number of Prisons and Almshouses, and stirring up liberal minded people, to good works in the direction of the construction and management of Prisons and Almshouses. We subjoin the plain and most satisfactory statement of our Colleague.

---

### J O U R N A L

*Of a Visit to Prisons and Alms Houses in Kentucky,  
Ohio, Indiana, Illinois, Michigan, Iowa, &c.*

At a stated Meeting of the "Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons," held Twelfth month 21st, 1865, the Committee on Discharged Prisoners of the Eastern Penitentiary of the State of Pennsylvania, presented a report which was read as follows:

In our visits to the newly admitted prisoners within the last three months we find ninety-eight; sixty-seven of whom are from the country

jails; of the whole number fifty nine have been in the army or navy; of the twenty-eight last admitted, eight-tenths are of that class, on whose account our feelings have been deeply enlisted—they appear to be nearly all first convictions. In conversing with them it is admitted that the moral hedge has been weakened by the army associations and practices; through the frailty of our common nature and want of *moral courage* they have fallen. It is a painful reflection that men who have periled their lives for the stability of our Government should be brought into this situation, some having long sentences.

It is a suggestion whether something cannot be done to alleviate their condition. When we reflect that every State in the Union has contributed its quota to this class, and that they have been returned there respectively to be disbanded, it is reasonable to suppose that all of the State Prisons in the Union will make a similar exhibit to our own.

Most of these are young men who in their separate cells removed from the surrounding influences which have led them astray, have their early associations and domestic ties revived in their mental vision with feelings of renewed tenderness, presenting an opening for the Christian philanthropist to call their attention to the spiritual warfare, inviting them to enlist under the Banner of the Cross of Christ the Captain of our Salvation, who was never foiled in battle, and who will lead on to victory.

We feel constrained to suggest to the Acting Committee that a committee be appointed to take the subject under consideration in order to digest some practicable plan of communication with individuals who reside within the limits of each State Prison, whose feelings are prepared to enter into the labor; whether it be through the Inspectors, Wardens, &c., or the religious community which surrounds them or the whole combined, as they in their judgment may propose in order to carry into effect the greatest amount of usefulness.

JEREMIAH WILLITS,	}	Committee.
GEORGE TABER,		
JOHN J. LYTLE,		

On motion of Joseph R. Chandler, it was resolved that a committee of seven be appointed to take into consideration whether any and if

any, what measures can be taken to ameliorate the condition of the discharged soldiers and others, now confined in the prisons throughout the country. Jeremiah Willits, Philip P. Randolph, George Taber, William S. Perot, William J. Mullin, John J. Lytle and Charles Ellis, were appointed the committee.

JOHN J. LYITLE, *Secretary.*

FIFTH MONTH 24TH, 1866.

Left Philadelphia at eight and quarter o'clock, A. M., an accident to the locomotive prevented getting to Wilmington in time for meeting. Spent the remainder of the day after dining with our kind friend Samuel Hillis, in calling on friend Rittenhouse, (introduced by our friend John Wetherell, Jr.) and several others; lodged with William Tatnall, was introduced by him on the 25th to the Mayor, Joshua Maris, who was very obliging, and accompanied me in examining the Jail, which is in the basement of the Mayor's Court House and office; it has no surrounding area to keep dry the walls, the floor is of brick, which also, with the side walls, absorb the moisture from the ground. The windows open on the street, giving free access to outsiders. The prisoners have no work, no books, nothing offered to them to encourage a reform or raise in them a feeling of self-respect; not a bed to lie on, nor straw to shield them from the damp paved floor at night. The lash, the stocks, &c., are their appliances for reform.

Found the Jail at New Castle a good one, much like our own, well ventilated, water closets, &c., cleanly kept. The first prisoner visited had been four years in the army, was regularly discharged; his father a Methodist, carefully brought up to attend the Sabbath School, &c. His propensity for bad company was increased by army association. In cell No. 13, name William, age twenty-eight years, single; followed driving an engine in a steamboat; no work here. The 2d. Alfred, was over one year in the army; attended Sabbath School regularly until going in the army; got with some fellows who were in the army, and received some articles and money from one of them who had stolen them from John H. Price's mill. Was living with his mother; on coming out of the army and meeting his associates there, did as he had not been in habit of doing; cooper by trade, and lived with his brother; sentenced six months. Cell 28, age 22.

Benjamin, went to Sabbath School up to the time he went in the army; served four years, honorably discharged; learned his bad habits from his army associates; was in his father's store, Wilmington. His mother a Methodist, keeps his cell neatly. 4th. A carpenter; liquor and bad company; burglary; five years; age 32; from Baltimore. 15th. cell, James. 5th. William, was nine months in the army service; slightly wounded; honorably discharged; mother a Catholic; went to Sabbath School four or five years; laborer; larceny; another boy gave the box, &c. to him, and he got the blame, sentence one year and six months; lives in Wilmington with his mother; is 19 years old.

6th. Was in the army three and half years; honorably discharged; age 30. John, father in Wilmington; moulder and laborer; single; larceny of a watch; attended Sabbath School five or six years. His drinking habits increased after going into the army; lived with his aunt; sentence three years; no work.

7th. William, an old man, sentenced for one month for larceny. Fully one half have been in the army, within the last year many of them left who were charged with petty offences, none appearing against them. Whole number of men now in Jail, thirty-one, and three women.

Geo. S. Hagerry, Sheriff, Clayton Platt, Daykeeper, Joseph A. Vining, Nightkeeper.

26th. Visited the Poor House a mile out, accompanied by A. Rittenhouse and John Flinn, the latter one of the Trustees. He was appointed presiding officer of the newly formed Society for alleviating the condition of prisoners. The Poor House is ample, well conducted and ventilated. The Insane Department is a credit to them; pay patients are sent to them, and they have successfully sent out many cured. City encroachments have already drawn their attention to the necessity of a removal to a greater distance from it. Left for Baltimore in the afternoon, stopped at Barnum's Hotel. 27th. Went home with R. M. Janney, who took me in a stranger, gave me meat and drink, and visited the prison with me on the 28th. He has been associated with others for some years to aid prisoners. The breaking out of the war partially interrupted their organization. They have kept up their Sabbath School, and intend to resume their attention to

prisoners generally. Their City Jail is a costly and secure one, on the separate system, but not strictly carried out; they have a small library; no work or regular system of instruction. The number who have been in the army largely prevails; many of them have had early religious instruction. A few have been sentenced for short terms, some as vagrants, &c., the others waiting trial. In this jail it is evident that there is less feeling of penitence and sorrow than in the penitentiary where they realize their fallen condition, and receive the sympathy and kind attention of visitors with expressions of gratitude; (had very laborious work.)

29. Visited the Poor House in the morning; it is exceedingly large and ornamental, parlors, reception rooms and officers rooms, out-top most of the first class hotels; but while they have lavished the City funds for outward show, they have not neglected the appliances for the health and comfort of the inmates. The ventilation is admirable, the foul air is carried by conductors downwards from the rooms into pipes leading into the bottom of a tower or foul air shaft in the vicinity of a large steam engine, the object of which is not only to do all the cooking, washing and heating of the establishment, but to rarify the air in the shaft by introducing the smoke and waste heat into it, thereby giving action to passing off the foul air of the whole place. The sexes are separated having separate stairs and yards. The insane are provided for with large separate buildings, one at each end, the sexes separate, with competent physicians.

Took cars at three o'clock, for Washington; called on the Hon. I. Newton. He made my visit welcome; informed me he had associated with others to devise a plan for the reform of juvenile offenders, a large number of whom he had found congregated together in their lock-up associated with old offenders, whereby they were schooled in vice: that the authorities of Washington had given them a large lot of ground with old temporary buildings, which they were converting into a temporary House of Refuge. While discussing means by which to raise funds, whether to solicit private subscription he suggested an application to Congress for an appropriation for that object, and appoint Commissioners to carry it into effect, which was adopted, and Oliver Oldschool, N. S., himself and others were appointed, and an appropriation of twenty-five thousand dollars made. He seems favorably dis-

posed toward our concern of forming themselves into an association for the aid of prisoners. Lodged with him, received his kind attention on the 30th. After showing his experimental garden, introduced me to J. Dennis, who accompanied me to the jail. The doors were opened and free admission granted by the authorities. In their crowded condition with no work or classification, there seems little prospect of reform. They were generally respectful, took off their hats when I addressed them. They receive occasional visits, with the distribution of tracts from my friend Dennis. He introduced me to the Mayor, who gave me a pass to visit the Poor House to-morrow. Stopped at Joy's boarding house, corner eighth and P. A. street. 31st. Accompanied by Jonathan Dennis and the wife of the brother of T. Sharpless widow, rode out to the Poor House. It is well adapted to the purpose, well ventilated, but the war has deranged things with them. One-half of the building is occupied as a City Prison under the direction of the Mayor and the same officers who conduct the Poor House. A fatal disease was among them, a fever of high type; they were separated in tents; the apartments generally not so cleanly as they should be. Made an effort to enlist into the prison service such as feel an interest in the welfare of prisoners. Met with two Methodist and one Baptist minister; they freely offered their aid.

Sixth Month 1st. Called on several; one venerable looking Methodist minister said he could supply any number requisite for the service from his local preachers, &c. The way opened clearly and an assurance given of an early organization; Jonathan Dennis consenting to be our corresponding member. Took cars for Wheeling, West Virginia, arrived there the evening of the 2d. Called on the Mayor and Sheriff for permission to visit the prison, which was readily obtained; put up at the Grant House, a quiet place which I needed after the hardship of a day and night travel in a car of rickety order; I hope it may die of the disease before my lot is cast there again. 3d. Too weak to visit the prison in the morning, deferred it till after dinner, which turned out to be a happy hit. The officer there an intelligent Welshman, informed me there were a few men who had volunteered to instruct the prisoners on Sabbath afternoon, at three o'clock, which I attended. Their speaker was energetic, fluent and correct, and the matter well adapted to the occasion. They feelingly entered into our concern, and

appointed to-morrow morning, at nine o'clock, to meet in conference on the subject of organizing. (My health materially improved.) After the regular services were through toward the prisoners, I briefly stated the object and operations of our Society, the recent increase and class of prisoners which had induced our Society to make this move. They might perceive our interest extended to every class of prisoners, yet circumstances alluded to had given renewed impulse to our feelings and action. We felt an interest in knowing how many had been in the army; we made no distinction between Rebel and Union—Christ died for all; that if they were willing I had a wish that all who had been in the army would hold up their hand, which was promptly complied with, and the count was thirty-one, about one-half the number of prisoners, although not all then present; then they were requested by the same token to answer whether they had in early life had religious training by parents or guardians, in attending Sabbath Schools, &c.; about the same number of hands were up, but not all the same persons; the friendly shake of the hand and expression of some of their good intentions for the future made the occasion an interesting one. Built in 1837 to 1839, for Ohio county; the Legislature made it a State Prison; it is on the congregate system; the Sheriff is elected by the people; he appoints the Jailer, giving him fifty-five cents per day for each prisoner and house free; there are accommodations for sixty-six, including convicted, untried and debtors; sexes separated; association not prohibited at night; no employment at this time; benevolent persons furnish books, and the prisoners teach each other. There is a volunteer religious service; fed three times a day except Sabbath; straw bed with blanket in winter; the physician paid by the State; no insane, they send them to the State Lunatic Asylum. Elizabeth-town, Marshall county, has offered ground for the erection of a penitentiary, and the Legislature has appropriated fifty thousand dollars for the first year. 4th. Was introduced to Arthur J. Boreman, Governor of Western Virginia; he approved the plan of forming a Prison Society, would give his aid heartily; a plain unassuming person. At nine o'clock, met with nine of their ministers; one lay member, who has the whole of the charity embodied in himself, but his successors when he is taken from works to rewards, should be appointed to perpetuate the charity, and they are appointed. There was a united approval of

forming such an association, and they presented me with the following copy of their minutes.

At the weekly preachers meeting of Wheeling and vicinity, held on the 4th of June, in Methodist Episcopal Church, Fourth street, Wheeling, the following action was held with respect to the organization of a Society for alleviating the miseries of public prisons: ‘Resolved, that a committee of three be appointed to draft a Constitution, and nominate suitable officers to organize a Society ‘for alleviating the miseries of Public Prisons,’ to report at our next weekly meeting.

On motion brother Samuel Stute was appointed corresponding Secretary *pro tem.*

Wheeling, June 4th, 1866. F. Ball, Secretary. Names of the Committee appointed as above—Dr. A. Martin, J. L. Clark and Saml. Stute.

Called on Dr. Todd, President of the Board, who gave me the following account of the Poor House: A poor old building, erected some forty years ago; room for 50 paupers; managed by ten overseers, elected yearly; they elect a steward, allowing him \$2 50 per week for each—no trades—fed three times a day—food good. The insane sent to the Lunatic Asylum, except two chronic cases—no special provision for such. A Physician employed by the county; expense of the establishment from 4 to \$5,000. Their outside poor exceed that amount.

Started for Columbus, Ohio; the night air was imprudently let in the car, which renewed my cold; arrived at Columbus, Ohio, after midnight; took lodgings at the Goodall House. 5th—unwell; not injured by early rising. Had an interview with Hon. Judge Bates and John Hough, director of State Prison; offered to accompany me and assist. I found it necessary to lay by, and try to recruit. My time of recruiting is occupied in bringing up my notes, and writing letters. My friend H. Kimball called, took me to his hospitable home, and his dear Eliza, like a kind ministering angel, effectually relieved me of a most violent attack of my throat affliction, caused by renewed cold from night travel. 6th—Called on C. A. L. Richards, with a letter of introduction from the United States Sanitary Commission. He offered material aid. Introduced me to Governor J. D. Cox, who gave me an open letter, requesting all concerned in Prisons, &c., to render me all the aid they could, in accordance with the rules of their Institu-

tions. He approved of the proposition to organize a Prison Society ; would give it his encouragement Called at the Sheriff's office. The deputy accompanied me through the County Jail of Franklin County, which is new, and on the congregate system, conducted by the Sheriff at 50 cents per day for each prisoner ; the County Commissioners and Grand Jury supervise it ; will accommodate eighty ; there are no females ; they associate in divisions, and classified without employment They have books from the Township Library ; have good beds, &c. ; a regular physician every day ; number of prisoners twenty one. The Insane are sent to the Poor House, where ample accommodations are provided. Ironing and the dungeon are resorted to for punishment, and little boys are associated with 18 adults, 14 of whom had been in the army and navy, all waiting trial. Waited till court adjourned ; had another interview with Judge Bates ; he again assured me of his co-operation, and referred me to their Chaplain, whose course he would endorse.

Returning to dine, I found a note from friend Richards, saying he was about to leave the city ; could not further aid me, but named others who he thought would. Here I felt some depression of feeling—two days nearly gone, and little done. My kind friend Kimball took me in his carriage to the Penitentiary ; was introduced to their new Warden and the Chaplain, Albert G. Byers, who conducted me through the 13 acre factory of various articles. The effect of his teaching was admirable. Through tender forbearance, yet firmness, subdued the stout heart. We soon found a tender cord binding our feelings together. Found the cells poorly ventilated, through the grating of the doors into the corridor. They have separate cells, in which they are placed at night, and on Sabbath days on the silent system ; congregate at other times. There are 1,000 separate cells can accommodate 1,100 prisoners ; the sexes separated ; are employed in various kinds of manufacturing ; a library furnished, and one hour each day for literary instruction, making use of prisoners as monitors ; religious teachers are supplied ; provision good in food, &c. A regular Physician ; number now in Jail, 850 ; 32 females, 150 colored ; terms of sentence average from 2 to 8 years. Insane, 25 ; 2 females,  $\frac{1}{2}$  colored The arrangements for treating these are superior to any which I have seen in any Penitentiary ; separate apartments of open iron work. Punishment

dark cell and bread and water; about 75 per cent have been in the army, of recent admissions. In the evening Albert J. Byers called at my room; our interview was cordial, like kindred spirits drawing from the same fountain; he assured me of aid, and would try to get a meeting in the morning. Light seemed to dawn, and I said I thought I should sleep better from what has passed between us. It was the best night's rest since I left home.

7th, Refreshed for work; was introduced to Judge Swan and others in favour of organizing a Prison Society; agreed to meet on the subject at two o'clock. My friend Kimball took me to the Poor House; Superintendent M'Irvine gave the description. The Poor House of the city of Columbus and Franklin county was built in 1834; will accommodate 135; they are now erecting an addition of 83 feet by 37 feet, making room for 200; a good supply of food, &c; no sickness or death; three Directors are elected by the County; they employ a superintendent, salary \$600, and living in the house, and a Steward at a salary of \$365. The inmates work on the farm. 47 incurable insane: no special arrangement for their improvement. When asked the cause of pauperism, the uniform reply is whiskey. A Physician visits daily; they had a pest house, where there are now small-pox patients, &c; was shown a woman upwards of 100 years old that her mother died there 13 years since, aged 118. A number of little children, some the offspring of girls following the army, the youngest 3 weeks old. The meeting appointed for 2 o'clock was respectable in numbers, and highly so in moral and religious standing.

Preliminary meeting held at Columbus, June 7th, 1866; Colonel G. D. Harrington was appointed Chairman; Messrs. Burr, W. W. Pollard and Early, were appointed a Committee, to draft a Constitution, and Geo. D. Harrington corresponding member. Little did I conceive of the public spirit manifest in Columbus, their large scale of liberality displayed in their public buildings, and their many institutions for charity.

8th—Arrived at 11 in Cincinnati. The shade of character unmistakable here, so differs from that at Columbus that it produced the thought—which is to give tone to the future morals of the country, whether the downward grade of a great commercial and manufacturing city, or the moral and religious atmosphere which surrounds the political metropolis.

Called at the Mayor's office ; got a permit to see the prison ; letters from Philadelphia ; made myself acquainted with Robert W. Burnett, who was President of the United States Sanitary Commission. He introduced me to Charles Wilstach, formerly from Philadelphia, who keeps a book store. Called on A. E. Chamberlain, who had so many engagements made it difficult to act ; had an Irish dignitary, Rev. Dr. M'Cash, with him, whom he had to accompany in visiting their institutions ; the hour of 9 was concluded on to meet on the morning of the 9th ; visited the City Jail before 9 o'clock. Cincinnati City Prison is an old temporary building, supplied with strong 6 feet by 5, and 6 feet high iron cages ; sexes separated ; they are about building a new Jail ; the City Council have the direction, and officers paid as policemen ; the prisoners do sundry jobs for the police ; missionaries furnish books weekly ; volunteer religious service every Sabbath ; a Physician employed to visit daily ; number, 40 men, 75 women, insane 3 ; rum cases, one-half recent admissions have been in the army ; expecting to leave in the 4, P. M. boat for Louisville, Kentucky ; at the hour appointed for meeting received a note from our friend Wilstach that the meeting could not be held before 4, P. M., which defeated my wish to go in the steamer at that hour, but the result of the meeting made amends.

The following minute was made : Cincinnati, June 9th, 1866. At a meeting held in the Clifton House, to consider the propriety of forming a Prison Discipline Society, Mr. R. W. Burnett was called to the chair, and Dr. Edward Meade was appointed Secretary. After a statement of the working of the Philadelphia Society, by Jeremiah Willits, it was resolved to appoint a corresponding Secretary. Mr. Burnett was appointed to the office. Meeting adjourned subject to a call for further consideration. Edward Meade Secretary. Present, Robt. W. Burnett, E Meade, M.D., C. G. Comegeys, M.D. ; W. H. Massey, M.D. Several necessarily absent. I availed myself of the time before the meeting in visiting the County Jail ; I visited all on the lower floor in their separate cells ; theirs is the separate system, and so peculiarly constructed they cannot see each other, yet no restraint on their conversation, which makes it a Babel of confusion. Of the 34 visited 25 had been in the army or navy ; their youth, early training, &c., corresponded to the condition we find them in our own Jail and

Penitentiary, and all others visited ; their Jail has a central building, with open spiral stairs in centre, with 3 corridors commencing wide, and narrowing to the width of two cells, giving it a star shape on the ground plan. A prisoner here gave me his views of the effect of the treatment of prisoners there. Dr. Patterson Ong said the association in the place has a very demoralizing effect. The young men say their credit is gone ; no one to advise or encourage, in fact feel deserted by all except those who are on a lower level than themselves ; they therefore plan for a future life of dissipation. The prisoner, No. 23, on my list of examinations at the Cincinnati Jail, presented a fine man of gay appearance, with a profuse display of gold. Surely a great man has fallen was the first impulse ; but no, he was the keeper of a bawdy house ; had not been in the army. His aim appeared to be to talk me out of countenance with his obscenity. I said to him that our Creator had implanted in us this principle for the perpetuity of our race ; he had also given us reason to control our conduct, that we may not place ourselves on a level with the brute, and sensible men had made laws for the same object ; then left him to fill the blank at his leisure.

Although the day's labor had been excessive, concluded to take the night train and a sleeping car at \$1 25 extra in order to recruit my weary self. Being in an upper berth, the gentle starting was not dissimilar to the dandling of the knee to sleep ; but when under way, more like the thumping over a newly made turnpike ; had hardly become accustomed to the motion, when at 12, midnight, was aroused and invited to take another extra car at \$1 50 ; protested against the imposition, but no remedy ; arrived at Louisville at early dawn.

10th—Called on the Mayor, J. L. Lithgow, who lived in a large, elegant house, with furniture to correspond ; large side yard, and iron fence front ; I took a refreshing breakfast with him ; called to see J. Edward Hardy ; he had gone to Sabbath school ; met with the Mayor after dinner at his office, but failed to get in the prison, owing to the refusal of the keeper ; small official dignity. 11th—Met the morning meeting of Methodist Ministers, who gave to our concern a kind consideration, and suggested a call of the Pastors of the several denominations, to be held at 10 o'clock, A. M., on the 13th, as being the most likely to give efficient aid ; notices were accordingly sent out, being aided by our kind friends, J. Edward Hardy, and W. H. Buck-

ley; the latter sent out the notices; renewed my application to visit the Jail; found that dignitary less exacting, and even friendly after the ice was broken.

Lewistown Kentucky Jail, old and condemned on the congregate system; the Jailer elected by the people for four years; he gets 75 cents per day, for boarding prisoners. The Grand Jury of criminal Court visit six times a year; there are 75 prisoners, 15 women; the separation of the sexes not complete; no teaching of any kind, except volunteer, nor employment given; bedding furnished by the county, also a Physician. Three-fourths have been in Army or Navy; heavy irons are used, say 20 lbs., and dungeon—never whip a white man

They have a lock-up, (emptied every morning by the Police.) Workhouse and a House of Refuge—'Am trying to discipline myself to make haste slowly—A. M., visited the City Almshouse; found little to commend, much room for improvement; the men lodge in one garret mostly having to pass by the female sleeping rooms to reach it, whose doors are left unfastened. Louisville Almshouse, 14 years old, will accommodate 200, average number 150; City Council elect three Trustees, Superintendent and Physician; Superintendent's salary \$700; Matron \$200, and board expenses paid by the City; no trades—4 insane—no special provision for such—no Infirmary—where they are taken sick they are nursed; the arrangement bad for separation of sexes. P. M.. visited the Workhouse a little out of the City, adjoining to back part of Cave Hill Cemetery in a low rocky ravine, where the inmates are employed in breaking stone, for McAdamising their streets, curbing and building purposes. They work in gangs male and female together, without strict regard to modesty in covering. When brought into line, and the word march was given, the clanking of the chains and heavy irons revealed the lowest degredation which I ever witnessed. One of them a little boy hobbling under his weight of iron. The sleeping apartments low and small, one bed nearly filled the room, on which 4 had to sleep; with a grated wicket in the door of nearly one foot square, and a small opening on the back of the cell as ventilation. I felt an interest in the management of such an Institution, as our City is making a strong move in the direction of establishing one. We need not go far to find the dark corners of the earth, wherein are the habitations of cruelty. 13th. Met at the time and place; Walnut

street Methodist Meeting House at 10 o'clock ; the meeting proved almost a failure ; present, two Methodist Ministers, one German Reformed and our friend W. H. Bulkley. The supposed reason for the others absenting themselves, was, the division in feeling which had existed during the war, was not yet removed ; they felt a hope that this being a work in which all could harmoniously labor, would have a tendency to unite them in other things which pertain to the advancement of our common cause of Christianity. Having spent three days here, and not realizing the full success as at other places, yet there is ground for hope that action will be taken by the Young Men's Christian Association, whose labors have been suspended during the war, and is about being revived. Those present were appealed to that they should give their aid to the renewal, and in bringing the subject fairly before them, W. H. Bulkley consented to be a coresponding member ; Louisville is a large trading City ; their large buildings and charitable Institutions are a credit to the place. It is built on an extensive level plot of ground, the streets wide and cleanly, McAdamised with lime-stone, the ornamental exterior coloring of their buildings is drab ; not deficient in modern architecture ; population 150,000, some say more ; passed over to Jeffersonville, Indiana, with a letter of introduction to J. H. McCampbell, who refered me to J. M. Sullivan, Moral Instructor of the State Prison. He is a Methodist Minister of kind manner, and tender feeling ; agreed to meet him in the morning at the Penitentiary ; stopped at the Bruner House.

14th Repaired to the Penitentiary, was introduced to the Warden ; accompanied through the buildings by the Moral Instructor. They have separate sleeping cells of small size, with no ventilation but the grated entrance door, some of the female cells are neatly decorated. Every prisoner, except the term be less than a year, is allowed \$15 on leaving the Prison, unless he has drawn on it while there. The Moral Instructor agreed to call a few of his friends together in the evening for further consultation.

Called on the Mayor John Ware, he gave me a rough plan of a new City Jail now being built, which is on their old objectionable plan. The females to occupy the upper tier of cells within hearing, and conversing distance of each other. I pleaded with them sometime until my stammering tongue becomes untied to plead the cause, and call there is

for every one to work zealously for the reform of our penal and reform houses. They are now so conducted in most places, that instead of being reformatory in character, are schools for vice; our Jails being filled rapidly with our youth, who, at a tender age, have been demoralized by army association, are now taking lessons of each other, and of those older in crime. Is it not a fair conclusion, that if men sleep and do not raise a hand to counteract this growth of evil, with the influence of foreigners of a like class, that crime will out-crop the good seed, and the Nation hastened to a more severe scourge than it has yet witnessed.

My friend John W. Sullivan called in the evening to say that he had met a few friends, and conversed on the subject of an Association being formed for the prisoners aid. They had come to the conclusion, the local prejudices now existing, render it an unfit time for such an organization; but wish the subject to be kept alive, with the hope, that, at some future time it could be effected. Was willing to be a corresponding member, and would communicate to us their future action.

Jeffersonville Indiana Penitentiary, erected 15 years; congregate system adopted. Three Directors are appointed by the Legislature, and they appoint the other Officers and Warden, with a salary of \$1,500, and house furnished; the Moral Instructor \$800. Association not prohibited; the work in extensive manufacturing of Agricultural Implements, by steam power; have a regular school in the winter—school and preaching every Sabbath; a Physician daily; 357 prisoners, 17 females, 26 colored; two insane white men, no special arrangement for such; their dungeon out of use; no punishment but the cat o'nine.

15th. Arrived at Indianapolis, called at the Governor's office with a letter of introduction; was not in; his health infirm; had recently returned from a tour to Europe; on that account 9 o'clock was named by his Secretary to meet; called on the Sheriff; got permission to visit the City and County Jail; a disgrace to any people; Indiana, Indianapolis, Marion County Jail, erected 12 years; congregate and social, the Sheriff lives in it, and employs a turnkey. He has 75 cents a day for boarding prisoners, and 90 for admission and discharge fee for State prisoners; some are employed on the streets; number of prisoners 70; eighteen women; no appointed religious or literary instruction, sometimes books have been given; a Physician attends when sent for; one insane man, not having special arrangements for such, they are sent to

the Asylum, sometimes, but rarely shackels are used for very unruly ones ; eight cells for each sex, 9 feet square, four to six persons occupy one when crowded ; ventilation poor, air foul ; soil buckets carried out.

Called on James M. Ray, a feeling tender spirited man ; he agreed to meet me at the Governor's office at 9 ; he proposed the name of Jacob S. Willits, to aid us, found him intelligent and kind ; he would also meet us at the Governor's.

16th. An interesting interview with the Governor, O. P. Morton, he voluntarily offered the use of his name in furthering the object which met his approval, gave me an open letter, requesting all Prisons, &c., should be opened to me by the respective Wardens, &c ; my kind friend Jacob S. Willits, seems to be really a right hand man ; had had experience in acts of benevolence, both in Freedmen's Association and Refugee Aid Society, which makes the work easy for him, knowing his men to call upon for a meeting at 4 o'clock P. M., at the office of the Young Men's Christian Association.

The meeting was very satisfactory ; in attendance were Ministers of several denominations, and others who expressed more than an approval of such Association as was proposed ; the Society being partially organized, adjourned to meet again on the 18th, at 8½ o'clock A. M., at the same place.

17th. Attended morning and evening meeting; our kind friends Jonathan and Drucilla Wilson, took me in their carriage to the Poor House, which has been erected 20 years, the addition 4 years, and will accommodate 100. The Superintendent has \$1.50 per week each, for boarding them, in addition to the profits of a 100 acre farm of good land, with paupers labor to work it. He furnishes the house with every thing, and stocks the farm. When a successor takes it, the whole is estimated by Commissioners ; there are 22 insane, out of 75 inmates ; no special arrangement for their treatment ; a Physician visits once a week.

18th. Repaired to the meeting, which organized by appointing James Blake Chairman, Jacob S. Willits Secretary ; after an open and full expression of unity, and an interesting speech from the corresponding member, which evinced enlightened views on the subject, worthy of being extensively circulated ; a committee was appointed to draft a Constitution, viz : J. Blake, J. M. Ray, Rev. F. C. Halladay, J. S.

Willitts and Col. Harper, and Col. J. P. Harper, was appointed corresponding member.

Took the car for Michigan City; stopped in the evening at La Porte, about ten miles out of my way, to make short calls on my relations there; looked into their Jail and Poor House, on the 20th; the Jail a secure one, dry and healthy, but deficient in all the essentials for reforming the criminal. The cells were ventilated by a small opening between the cells occupied by both sexes, and open grating doors to their apartments; there were 7 men, no women. I called on the Methodist Minister Boyd, represented the condition of things there to him, asking his consideration of the subject, and if he felt willing to call to his aid some others, of other religious professions, to occasionally visit there; perhaps some good might grow of it, he gave me to expect he would do so; that he had been in the habit of so doing, when he was stationed at Lafayette. They were young men, mostly of the Army; the importance of employment was manifest. The Poor House is small, has about 40 of both sexes, nearly equally divided; no separate provisions for the insane or sick; all within hearing distance of each other; the noise from the insane, cannot fail to be annoying to the sick; old men and their wives are separated, as I found also in other Poor Houses; the building, with airy rooms, indicated a good degree of comfort. The inmates are employed on the farm; they had an infant giant with six fingers and toes on hand and foot. The Superintendent has a salary of \$460, and a living from the Institution.

21st. Started at 4 $\frac{1}{2}$  P.M., for Michigan City again; arrived in the evening, put up with my relative Walter O. Leeds, who entertained me with marked kindness, introduced me to D. J. Baldwin, the Moral Instructor, and others. On the 22nd, the Moral Instructor Skinner, sent for the prison carriage to take us to the Penitentiary, which we visited; number of prisoners 168. Michigan City Penitentiary, is on the congregate and silent system; when finished, will accommodate 720, in separate cells at night. Commissioners are appointed by the Legislature, who employ all the officers; there is a complete separation of the sexes; the business at present, coopering and wagon-making; books are furnished by the State, and schools are kept in winter evenings. The Moral Instructor has \$800, salary; a Physician and Hospital Steward, employed; number of prisoners 162; no females, five

colored, two insane, no arrangement for treating such; it is not self-sustaining; the cat is used, and shackels, with over work for breaking rules.

Met by appointment at 4 o'clock a number of Ministers and others, in reference to forming a Prison Society. The proposition was approved of, after discussion, and adjourned until 2 o'clock to morrow afternoon, for another meeting with the view of completing the organization.

23d. 2 P. M., met the adjourned meeting, which organized by appointing Rev. J. Norton, Chairman, and J. W. McCaskey, Secretary; after free expression of opinion, it was resolved, that a committee of five, viz: Rev. Messrs. Skinner, Boyd and Schettler, and Messrs. Wm. Smith and G. D. Baldwin, were appointed to draft a Constitution and By-Laws for said Society; Rev. H. C. Skinner, was appointed corresponding Secretary. Adjourned to meet at the call of the committee, when prepared to report.

Left for Chicago in 5 o'clock train—arrived about 8; put up at the Richmond House; things comfortable and health good. Rode up to my room in an elevator. 24th. In the evening had a call by one of the friends, Willet Dorland, who offered to aid me; would call at 8 A. M. 25th. My friend D. gave his services for the day; visited the County Jail. Chicago Prison has been erected 16 years; will accommodate 100. Now in jail 112—females 18. The Sheriff manages it, and appoints officers. He gets 50 cents per day for boarding prisoners. The Grand Jury visits. No instruction of any kind, except volunteers, who deliver tracts. A doctor, employed by the County, comes when called for. There are 2 Insane; no arrangement for their treatment. The crowded, dark, poorly ventilated apartments, excited a feeling of pity for the inmates, mostly young men, who had been in the army or navy, it was thought at least three-quarters of the number. Called on the Mayor, J. B. Rice, who fully approved of forming a Prison Society; gave the names of several to aid in it, and wished his name added to the list. Called on one who suggested the propriety of opening the concern at the close of the mid-day prayer-meeting of the Young Men's Christian Association, which was done. They said their Meeting was no part of the proceedings of that organization; that they could not take action on that occasion, but proposed laying

the subject before the next meeting of the Board. Not feeling willing to wait, it was not decided on. Then we called at the office of the Methodist bookstore, (I omitted to say, in connection with the above that one of the preachers at the Prayer Meeting, said his residence was in Leavenworth, Kansas ; that he had taken an interest in Prisons there. I gave him a copy of our Report, in order to aid him in forming an Association there on his return); found their President and a number of other Ministers. One expressed his feelings with warmth, having personal knowledge of the condition and manner of conducting their Prisons, but having an engagement at that hour, had to leave; but would meet me there at 8 o'clock to-morrow morning; we then visited their City Jail, an old wooden building, having about 70 cells; well lighted and ventilated, but insecure ; cleanly kept; bedding furnished. Many of the inmates were young men and boys; a few old bruisers, particularly among the females, who carried the rum marks conspicuously about them. They number 150 altogether; 50 females; there is Sabbath service attended to by volunteers, when all of both sexes meet in a Chapel for the purpose. The men are partially employed in breaking stone for McAdamising the streets; but what a herd of idle women, literally a squatter settlement.

26th. 3 o'clock ; met with E. M. Boring, Methodist Minister, 296 West Madison street, James B. Trowbridge, 7 Custom House place, and H. Crews, 66 Washington street, presiding Elder. Were all willing to aid in any way they could. Wrote a letter to Willet Doring, stating the above, and asking his co-operation and a suggestion, whether he could not call in the aid of a few women to visit at their Bridwell Prison ; hoping that after consulting with our friend Lathrope, we might be able to propose a plan for organizing there. Took the 4½ train for Joliet. Arrived in the evening; Samuel G. Lathrope, Correspondent, presented a letter of introduction to the Moral Instructor, with whom an interesting conversation was entered into upon the subject; found he had largely considered it, and was pursuing it with enlightened views. Would call for me to morrow morning.

27th. Received his call ; he took me in his buggy to his comfortable home, when and where we traversed the subject fully. He informed me that they had organized a Society near two years since, with their Governor Hon. Jesse O. Norton, President, Rev. Hooper Crews, Vice-President, George Woodruff, Recording Secretary, Rev. S. G. Lathrope,

Corresponding Secretary, Wm. C. Wood, Esq., Treasurer. The officers and nine members elected annually, constitute its Acting Committee, who hold a meeting once in three months; said committee appoint Vice-Presidents in every congressional district, whose duties shall be to appoint Committees in the principal cities and towns, who shall anticipate the coming of discharged convicts, counsel them, and aid in procuring for them boarding places and employment, and be in correspondence with the Chaplain, for the purpose of obtaining the necessary information. I suggested that County Jails and Poor Houses be attached to the duties of District Committees; which met with approval. Visited the Penitentiary; a very ornamental and apparently secure building, founded on a limestone rock, with which the place abounds, it is of a cream color, the blocks and slabs of great size and beauty, and used for the best buildings, fronts, flagging, &c., in Chicago. The prisoners work it for the Warden's benefit, as he is the Lessee of the whole Joliet Illinois Penitentiary, was commenced building in 1857, not yet finished; the silent congregate system, with separate cells when finished. The Legislature contracts with a suitable man for the profits of the labor of prisoners, male and female, and he becomes the Warden, has the whole control, and reports to the Legislature. No instruction of any kind provided, except a moral Instructor, to devote the Sabbath to the benefit of the prisoners. No books, except by voluntary contribution; stone cutting and quarrying the chief business. The finest quarries I ever saw, were there; it would appear that nature had formed the size of blocks for the largest columns, and slabs ready to be taken out, of almost every conceivable size and thickness; the cells, floor, sides and cover, each of one solid stone 8 inches thick.

963 prisoners, 50 women, 2 insane, no provision for such. Punishment, dark cell, lash occasionally, and a stock of manacles are kept; 72 acres of land, 16 enclosed with a wall 25 feet high, 6 feet thick; ventilation good. An armory, and sentry armed, who occupy the towers and other places, which we find in all the Penitentiaries.

After hearing the steps which had been taken here, and assured of the active part now being taken by the Moral Instructor, in order to carry the whole into effect as speedily as may be, I felt satisfied to leave for Jackson, Michigan, on the 9 o'clock train; lodged at cousin Leeds, in Michigan City. 28th. Arrived at 2 o'clock, put up at the Marion

House; called on the Mayor and Sheriff, and Dr. Backus, Moses A. McNorton; the Mayor will call at 8 o'clock to aid me to-morrow; the Dr., also offered his aid, and about the same hour; he is one of the oldest men in the place; David A. Lockwood, the Sheriff, was in poor health. 29th. Was taken by the Mayor to the Penitentiary, stopped on the way, at Dr. Backus', who agreed to call a meeting for 2 P. M. Visited the Penitentiary, a large manufacturing establishment; erected 1838-9; on the congregate silent system. The Governor nominates an Agent, confirmed by the Senate, salary \$1,000, who has the charge of all; built to accommodate 700, with separation of sexes; none allowed to associate at night. They manufacture wagons, boots, agricultural implements, cabinet-work, segars, &c., contracted for by manufacturers with the Agent. The Chaplain has \$550 per annum, who spends the Sabbath and two other days there. A library and some literary instruction afforded; present number 429, females 26—two-thirds of late admissions been in the army—one colored insane man; no special arrangement for such; punishment resorted to, ball and chain, shackels, flogging and dark cell. The Jail old and much worn, the steps and floors so much so, they appear rotten and unhealthy. The County Jail, small and but few in it; been erected 10 years, conducted by the Sheriff, will accommodate 48, number now five; one young woman, no insane, nor special provision for such; prisoners associate day and night, sexes separate; no employment, no books, except by benevolent persons, nor instruction of any kind; ventilation poor.

Being informed that Detroit sent more to the Penitentiary, than any other City or County, was an inducement to go there. At the 2 o'clock meeting, they appointed their Chairman, Secretary and Corresponding Secretary; then adjourned for one week. Got through in time for the afternoon train to Detroit, which I reached in the early evening. Stopped at a temperance Hotel—the Franklin House.

30th. Called on Edward C. Walker and Charles A. Kent law partners, who aided me; gave the names of Dr. Duffield, J. M. Buckley, No. 90 Front street; J. W. Farell, Vice President of the Young Men's Christian Commission, were also interested; Seventh day being a finish up day, made it difficult to get a meeting. J. M. Buckley, the Methodist minister, consented to be a corresponding member, and to pursue the subject in conjunction with Dr. Duffield, who would give

notice to his young men at the close of service to induce them to aid the cause. I visited the House of Correction which made me feel the degradation which our city is subjected to by being behind that youthful State; Detroit House of Correction, Michigan, was built in 1861, and additions are now being made; conducted on the silent, congregate system, with separate cells for sleeping; the Mayor nominates three Inspectors, who are confirmed by the City Council, who manage it in conjunction with him. It is designed to accommodate three hundred and fifty; at present two hundred and ninety; one hundred and fifteen women; ten colored; the sexes separate; they have a Library formed by an admission fee by visitors; a chaplain two evenings in the week for class instruction. Terms of sentence vary from ten days to five years; the insane are removed to the State Lunatic Asylum; a physician visits at the call of the Superintendent; salary four hundred dollars; it is a paying Institution; had a surplus income of ten thousand dollars last year, all derived from chair making in its various branches; women are employed daily from the city to aid, in order to keep up a supply for the demand. The City and County Jail has but few inmates. Cause? The building healthy and secure. Detroit City and County Jail has been built nine years; the Sheriff has the management, and receives forty-two cents per day for board, and seventy-six cents turnkey fees, each; conversation is forbid from eight P. M. till six A. M.; no employment nor instruction except by the chaplain, who officiates on the Sabbath, and furnishes books from private sources. The insane are sent to the State Asylum; their punishment is close confinement; am about to finish as severe a day's labor as need be, by taking steamer for Cleaveland, at eight this evening. Had a delightful passage down the Detroit river; it has strong current; it was said to be four miles an hour; width similar to the Delaware, with a town on the Canadian side corresponding with Camden, New Jersey. The Lake Erie navigation by moonlight had its attractions; the shipping and steamers spread out upon its broad, and at that time placid waters, yet sorrowful evidence presented of the effects of its swelling rage but a few days before, when many of the storm-driven vessels were cast on the shore, and lives lost, male and female, within hearing distance of the citizens; they are about to form a Life-boat Company.

Seventh month 1st. Seven A. M., arrived in their goodly city;

visited the City and County Jails. Cleaveland, Ohio, Cuyahoga County Jail has been built fourteen years, to accommodate one hundred and twenty prisoners; the Sheriff gets three dollars and a half per week for their board, one dollar and a half turnkey fee, for each; the supplies of bedding, &c., are from the County; no employment; one insane; present number of prisoners, twenty-five; more than half had been in the army; sexes separate; a physician paid by the County; the City Jail they profess to empty every day, it should be every night; not even straw to lie on; an appointed meeting in the evening by a travelling minister, Joseph Stanley. I omitted to say in its place, that after the close of the morning meeting, J. Farmer, informed the company of my business; they gave it full approval, and named Asa C. Tuttle, box 2162, Cleveland, Ohio, as corresponding member; he is a minister among them. 2d. Took cars for Pittsburgh; arrived in early evening, too tired to make calls. 3d. Called at the house of John Douglass, D.D., who had gone to Philadelphia; then on Dr. Ray, who accompanied me to see Herrick Johnson, D.D. They were impressed with the need of an association to aid the prisoners of that place; we called on William Frew, who gave me the following report:

JEREMIAH WILLITS, Esq.

*Pittsburgh, July 3d, 1866.*

Dear Sir—On behalf of the friends of your Prison Discipline Society in this community, I would respectfully report:

That during the past year we have been quietly preparing the way for an organization, auxiliary to your Society; and propose to hold our first meeting during the coming week, of which we will duly advise you. In the mean time some considerable attention has been given to our County Prison: A chaplain has been secured who conducts religious service on the Sabbath, visits the prisoners in and out of prison, and whose duties will be similar to that of your Prison Agent. Arrangements are also being made and Commissioners appointed to erect an extensive Workhouse and Inebriate Asylum by the County of Alleghany; after which, we can correct the abuses which prevail at present in some of our local prisons.

Yours, &c., WILLIAM FREW, Cor. Mem.

I visited the Jail and Penitentiary. The management of the Jail is improved by the present Keeper, but very crowded; 5 or 6 in a small cell. Number 113. Women 15. It is thought that three-quarters of the admissions since the war closed, have been in the army or navy,

mostly young men. The number has increased since 1864-5 from 204 to 331 at present in the Penitentiary.

4th. A tiresome ride to Harrisburg. A sultry evening and explosion of fire works did not lessen the disorder of my stomach and bowels that night. 5th. Called on John Weir, at the Harrisburg Bank, and William Buehler, Walnut Street Insurance Company, members of their Auxiliary Prison Society. They said there was a jealousy existed between the Prison Inspectors, which had prevented their acting as visitors; that the Keeper also was somewhat unyielding. I had visited the Jail, and conversed with the Keeper; found him exacting, until I showed him the Governor's letter, when he conversed sensibly; thought there would be a benefit in having judicious visitors, of mature age and experience, unlike those who had formerly visited of the Young Men's Christian Association, who rushed in with apparent strife to obtain the first cell.

It was suggested that a circular letter be sent to the corresponding members of every County, informing them of the cause of the present move, and request their aid, with which I approved.

Harrisburg Jail is over crowded. The separate system, and no work; religious instruction every Sabbath morn; books furnished by Christian Association; no other teaching. Keeper gets 22 cents per day for boarding them. There are 70 inmates—16 women. About three-quarters recent admissions have been in the army.

Stopped at Lancaster. The Jail is on the separate system; a Board of Inspectors, elected by the people, employ a Keeper, &c.; pay him 25 cents a day for board, and a salary of \$700, with house accommodations for family. A Moral Instructor, to visit twice a week, and Sabbath teaching every other week. There are 80 cells and 80 prisoners—11 women, 1 colored. Employed in weaving, knitting, basket and shoe making, segars, brooms, &c. The untried have employment, if they choose. One insane colored man; no special arrangement for treating such. Punishment, low diet, ball and chain. The impression with me is, that the number who have been in the army, in every place I have visited, will nearly average 75 per cent. Of recent admissions, mostly first convictions.

I think the foregoing will open a field for reflection which may be more profitable to one who feels an interest in the subject, than any comments which I may make.

C O R R E S P O N D I N G   M E M B E R S  
O F T H E  
P R I S O N   S O C I E T Y.

---

Atlee, John L., M. D.,	-	.	.	.	.	Lancaster.
Allison, William J.,	-	-	.	.	.	Burlington, N. J.
Brodhead, William,	-	-	-	-	-	Milton.
Brown, Rapelas,	-	-	-	-	-	Warren.
Bent, Rev. Sylvester,	-	-	-	-	-	Beaver.
Benedict, A. W.,	-	-	-	-	-	Huntingdon.
Baker, John A.,	-	-	-	-	-	Bloomfield.
Burnett, R. W.	-	-	-	-	-	Cincinnati, Ohio.
Bulkley, W. H.	-	-	-	-	-	Louisville, Ky.
Buckley, Rev. M.	-	-	-	-	-	Detroit, Michigan.
Conyngham, John M.,	-	-	-	-	-	Wilkesbarre.
Carpenter, Thomas,	-	-	-	-	-	New Jersey.
Curtin, Andrew, G.,	-	-	-	-	-	Harrisburg.
Crozer, John P.,	-	-	-	-	-	Chester, Pa.
Clark, Samuel D.,	-	-	-	-	-	New Castle, Pa.
Calvin, Samuel,	-	-	-	-	-	Hollidaysburg.
Curwen, John, M. D.,	-	-	-	-	-	Harrisburg.
Dix, Miss D. L.,						
Davis, William,	-	-	-	-	-	Stroudsburg
Drinker, Henry,	-	-	-	-	-	Montrose.
Donalson, John F.,	-	-	-	-	-	"
Derrickson, David,	-	-	-	-	-	Meadville.
Douglass, John, D. D.,	-	-	-	-	-	Pittsburgh.
Dennis, Jonathan,	-	-	-	-	-	Washington, D. C.

Echroid, Henry,	-	-	-	-	-	Muncey, Pa.
Eaton, S. M.,	-	-	-	-	-	Franklin.
Elder, Cyrus W.,	-	-	-	-	-	Lewistown.
Frew, William,	-	-	-	-	-	Pittsburgh.
Findlay, John P.,	-	-	-	-	-	Mercer Co.
Foster, Henry D..	-	-	-	-	-	Greensburg.
Fenton, John,	-	-	-	-	-	Johnstown.
Graham, Rev. S. Y.,	-	-	-	-	-	Somerset, Pa.
Gibson, M.,	-	-	-	-	-	Northumberland.
Green, S. Miles,	-	-	-	-	-	Huntingdon.
Hall, John, D. D.,	-	-	-	-	-	Trenton, N. J.
Howe, Dr. Samuel G.,	-	-	-	-	-	Boston.
Hayes, A. L.,	-	-	-	-	-	Lancaster.
Holliday, H. S.,	-	-	-	-	-	Brookville.
Howe, John W.,	-	-	-	-	-	Meadville.
Harrington, George D.,	-	-	-	-	-	Columbus, Ohio.
Harper, Colonel J. P.,	-	-	-	-	-	Indianapolis, Ind.
Ives, Timothy,	-	-	-	-	-	Coudersport.
Jones, Morris C.,	-	-	-	-	-	Bethlehem, Pa.
Jones, J. Pringle,	-	-	-	-	-	Reading.
Jorney, John,	-	-	-	-	-	Honesdale.
Jessup, William H.,	-	-	-	-	-	Montrose.
Johnson, Samuel P.,	-	-	-	-	-	Warren.
Janney, Richard M.	-	-	-	-	-	Baltimore, Md.
Knight, Dubréé,	-	-	-	-	-	Wilmington, Del.
Kughns, Joseph,-	-	-	-	-	-	Greensburg.
Lucas, Charles,	-	-	-	-	-	Paris.
Lesley, James,	-	-	-	-	-	Philadelphia.
Leiber, Francis, D. C. L.,	-	-	-	-	-	New York.
Lott, Charles,	-	-	-	-	-	Lottsville, Pa.

Long, Henry G., -	-	-	-	-	-	Lancaster.
Lee, R. S., -	-	-	-	-	-	Uniontown.
Linn, Samuel, -	-	-	-	-	-	Bellefonte.
Little, Robert, -	-	-	-	-	-	Tunkhannoch.
Lawson, William C., -	-	-	-	-	-	Milton.
Lathrope, Samuel G., D. D., -	-	-	-	-	-	Joliet Illinois.
McClure, Alexander A ,	-	-	-	-	-	Chambersburg.
Montgomery, Rev. James,	-	-	-	-	-	Clarion Co.
McEnnally, J. B., -	-	-	-	-	-	Clearfield.
McMurtrie, R. A ,	-	-	-	-	-	Hollidaysburg.
Mann, John S., -	-	-	-	-	-	Coudersport.
Mercer, Ulysses, -	-	-	-	-	-	Towanda.
Marsangy, Bonneville de,,	-	-	-	-	-	Paris.
Osterhout, Peter M., -	-	-	-	-	-	Tunkhannoch.
Olmstead, A. G., -	-	-	-	-	-	Coudersport.
Paxton, Joseph, -	-	-	-	-	-	Catawissa.
Pierson, John J., -	-	-	-	-	-	Harrisburg.
Perkins, Abraham R., -	-	-	-	-	-	Chester.
Penniman, Francis,	-	-	-	-	-	Honesdale.
Pomeroy, Thomas,	-	-	-	-	-	New Castle, Pa.
Perkins, Cyrus L.,	-	-	-	-	-	Johnstown.
Patterson, John S.,	-	-	-	-	-	Mifflintown.
Russell, Zenos H.,	-	-	-	-	-	Honesdale.
Rutton, James S., -	-	-	-	-	-	Beaver.
Roty, Edmund S.,	-	-	-	-	-	Mifflintown.
Riddle, Rev. M., -	-	-	-	-	-	Bloomfield.
Russell, Benjamin S.,	-	-	-	-	-	Towanda.
Rittenhouse, A., D. D., -	-	-	-	-	-	Wilmington, Del.
Sumner, Charles S.,	-	-	-	-	-	Boston.
Smeal, Robert, -	-	-	-	-	-	Glasgow.
Sherman, Alfred H.,	-	-	-	-	-	Milford.
Spencer, S. S., -	-	-	-	-	-	Erie.

Sutton, John,	-	-	-	-	-	Indiana.
Stewart, William M.,	-	-	-	-	-	"
Stewart, S. Sewell,	-	-	-	-	-	Huntingdon.
Skinner, Rev. H. C.	-	-	-	-	-	Michigan City, Ind.
Stute, Samuel,	-	-	-	-	-	Wheeling, W. Va.
Sullivan, John W.,	-	-	-	-	-	Jefferson, Indiana.
Tuttle, Asa C.	-	-	-	-	-	Cleaveland, Ohio.
Varrentrapp, George, M. D.	-	-	-	-	-	Frankfort on the Maine.
Willetts, George,	-	-	-	-	-	Catawissa.
Willetts, Jeremiah, Jr.,	-	-	-	-	-	Haddonfield, N. J.
Wines, Rev. E. C., D. D.,	-	-	-	-	-	New York.
Woodward, Warren J.,	-	-	-	-	-	Reading.
Walton, Sydenham, M. D.,	-	-	-	-	-	Stroudsburg.
White, R. G.,	-	-	-	-	-	Erie.
Walker, John H.,	-	-	-	-	-	"
Wingate, J. D., M. D.,	-	-	-	-	-	Bellefonte.
Woods, David W.,	-	-	-	-	-	Lewistown.
Wier, John A.,	-	-	-	-	-	Harrisburg.
Young, Rev. Royal,	-	-	-	-	-	Butler.

NEW SERIES.

NO. VII.

# THE JOURNAL

OF

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

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

JANUARY, 1868.



PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, (GIRARD BUILDING.)

1868.



**ROOMS OF THE  
PHILADELPHIA SOCIETY**

FOR

**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January,) 16th, 1868, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report) consisting of JOSEPH R CHANDLER, JAMES J. BARCLAY, JAMES M. CORSE, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month, 23rd, 1868, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Stated Meeting of the Acting Committee, held Second Month, 20th, 1868, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYTTLE,**

**SECRETARY.**

## TABLE OF CONTENTS, WITH AN ANALYSIS.

---

### **REPORT,** 9

- Regular attendance of members at meetings.
- Constant attendance of the Committees to their duties.
- General effect of their labor.

### **COUNTY PRISON,** 10

- Labors of the visitors of the Society in the different departments of the prison.
- Moral and physical benefits to prisoners.
- Good results to prisoners from solitude after instruction.

### **FEMALE DEPARTMENT,** 12

- Augmented number of cells about to be productive of good to the prisoners.
- Religious books supplied to all the cells.
- Small library for general reading.
- Moral and religious instruction regularly given to the women.
- Reading and writing successfully taught.
- Several instances of decided amendment of life among the female convicts.
- Necessity of some refuge for repentant females.
- Number and character of visits to the prison.
- Necessity of having the prisoner alone when instructed.
- The Female Department presents at present a better field for labor than the male cells.

**CONTENTS.**

v

**EASTERN PENITENTIARY. 16**

- Visits of the members of the Committee welcome and profitable.  
Good known to have resulted from labors of the Committee.  
Statistics of the Penitentiary for the last year.  
Statistics of the Penitentiary for the thirty-eight years of its occupation.

**SUBJECTS PREVIOUSLY NOTICED, 19**

- No changes in the system of police magistracy.  
Too little attention given to this subject.  
Drunkenness undiminished.  
Prosecution of efforts for a prison and almshouse system in this State.

**THE AGENT'S PROCEEDINGS. 21**

- Mr. Mullen's labors, and their success.  
Importance and benefits of his labors.  
Value of his services to families.  
Value to the city by saving costs of court.

**AUXILIARY SOCIETIES, 26**

- Efforts of the Society to establish auxiliaries.

**CHESTER COUNTY SOCIETY.**

- Auxiliary Society formed in West Chester.  
Report of the Executive Committee of Chester County Society.  
Officers of the Society, and its Committees.  
Success of application to have its committees permitted to visit the prison.

**PUBLIC MEETINGS. 30**

- Notice of a public meeting by the Society in the hall of the Franklin Institute.  
Advantages of such meetings.

**ABSTRACT OF REPORT OF MAHLON H.  
DICKENSON.**

33

- Character of his mission.
- His appointment.
- Connection of Mr. Dickenson's mission with those of a former Committee of this Society.
- Mr. Dickenson's report strongly favorable to the system of separate confinement.
- Schuylkill County prison regarded as the best in the State.
- Reasons for that opinion.
- Comments upon the County prison.
- Remarks upon almshouses.
- Mr. Dickenson's statement of the construction, condition and administration of the almshouses of the State.
- His views of the rights and the sufferings of the insane.
- What should be done for them.
- Expression of hope that Mr. Dickenson may be employed to continue the work so well begun.
- Mr. Dickinson's view of responsibilities.
- His remarks on separate confinement, or the Pennsylvania System.

**IRISH CONVICT SYSTEM.**

50

**COMPARED WITH THE PENNSYLVANIA SYSTEM.**

- Desirableness of uniformity in prison discipline.
- Value of good administration.
- Difficulty of adopting old plans to new systems.
- Too much delay in improving prison discipline.
- No system of construction and management of prisons in this State, excepting the Eastern Penitentiary.
- Some exception to separate confinement even in the Eastern Penitentiary.
- Notice of the Twenty-Second Annual Report of the New York Association.

**IRISH CONVICT SYSTEM.**

- Disposition of the Irish Convict System.
- Time to be gained by the convict.

- Officers of the prisons—how appointed, and salaries.  
Statement of the mode by which the Irish male convict diminishes the time of his imprisonment.  
The different stages of his imprisonment and gradation of confinement.  
Treatment of female convicts. It differs from that of the males.  
Remarks of Miss Jellico.  
The Irish convict system compared with that of the Eastern Penitentiary in Philadelphia.  
Remarks upon the charge, that separate confinement tends to produce insanity.  
Effects of recognition upon a discharged improved convict.  
Anecdote of two prisoners from the county prison.  
Is the Irish convict system practicable in Pennsylvania?  
Want of means from various circumstances to carry out the Irish system here.  
Ease with which a ticket-of-leave man could renew and pursue his evil course.  
Circumstances of this country, geographically and socially considered, unfavorable to the ticket-of-leave system.  
Tribute of respect to the New York Report.  
The Pennsylvania System is better than that of Ireland.  
Much of the success of the Irish system results from the mode of appointing the officers of the prison. No party politics.  
The value of a system that is not disturbed by constant changes of administration.  
Much in the Irish convict system is truly valuable.  
But all that is valuable in the Irish system is better adapted to, and more practicable in, the Penitentiary of Pennsylvania.  
The mark system, and gradation of punishment, once authorized in this State, and may be renewed by law.  
Remarks upon the uses of liberty to convicts.

#### DISTINCTION BETWEEN SEPARATE AND SOLITARY CONFINEMENT.

- No solitary confinement in the Eastern Penitentiary.  
What is required in Pennsylvania.  
Difference between an Irish ticket-of-leave man and a discharged convict of the Pennsylvania system.

- The commitments in the Irish Penitentiaries compared with those in the Eastern Penitentiary of this State.  
 Influx of ticket-of-leave persons in our prisons.  
 While some English writers laud the Irish convict system, they declare that separate confinement is the only means of improvement.  
 General advantages of the Pennsylvania system over the Irish convict system.

***FOREIGN REPORTS.***

85

Notice of the Prison Reports of England and Scotland.

Separate system lauded.

Religious and moral instruction given, and full reports made to the national government.

**FRANCE.**

System well administered.

M. L. Bonneville de Marsangy.

Mr. M.'s system of prison discipline in his Essay.

While he proposes partial congregate imprisonment he lauds separate confinement.

***OBITUARY.***

90

**WILLIAM SHIPPEN, M. D.**

Vice-President of the Society.

Character of his charities.

The nature and usefulness of his labors.

Action of the Society in regard to his memory.

**FREDERICK A. PACKARD.**

His general worth and usefulness.

His sufferings and death.

***CONCLUSION.***

97

What is desired.

***LIST OF CORRESPONDING MEMBERS.***

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## REPORT.

---

The Society for Alleviating the Miseries of Public Prisons has continued its labors for another year, and now places before its members, and the community generally, a statement of its proceedings, and an illustration of its views upon the great subject of prison discipline, and of the questions that are connected with that branch of social science.

The meetings of the Society have been attended by the usual number of active and sympathizing members; and the various committees have acted upon the subjects submitted to their care with accustomed devotion; and the Society has continued to make itself felt in the construction and the administration of some prisons in the State, and its good counsels and teachings are acknowledged where they have been allowed influence, and remembered with severe self-reproach where they have been neglected.

## COUNTY PRISON.

The County Prison in Moyamensing continues to be a field of the labors of the Society, though the crowded state of the cells has rendered direct personal access to the prisoners less easy and profitable than it was when no cell contained more than one prisoner. The moral and spiritual instructors who have gone to the prison, especially to the parts allotted to the male prisoners, have carried on their work, of course, with less advantage; and, perhaps, some of our visitors have been deterred by the discouraging circumstances under which they are called upon to labor. Yet some have labored and done good in the very direction in which they were sent, consoling the suffering, soothing the irritated, calming the disturbed, and leading the thoughtful to resolves of amendment.

Nor must it be supposed that these are all the fruits of the labours of the committees even of this Society in that prison. The frequent intercourse between the visitor and the convict, and the gentle influence of moral suasion beget a confidence in the visited that makes him truthful and familiar toward the visitor, and thus the circumstances of the convict's family, and even his personal history, and immediate desires, are made known; and prudent interference diminishes much of that anxiety that held back the prisoner from a hearty resolve to do good. His physical amendment is thus made promotive of his moral improvement.

In that kind of good work have some of this Committee been profitably engaged, laboring against all the

adverse circumstances of a convict's temper, and, the worst and most disheartening of all, the presence of other convicts. None but the visitor to the convict's cell can fully appreciate the obstacles to a prisoner's moral improvement that are interposed by the companionship with other prisoners in his cell—the worst of all companionship.

The work of self-examination needs solitude and silence. The poor prisoner, sensible of his errors, needs perfect isolation for studying his own heart, and concluding on his own future. Even the diminished light of day, that streams through his narrow, grated window, and strikes half across his cell, is unfriendly to that complete abstraction which self examination requires. Neither sight nor sound of what he has known, and which tells of the world without, can be tolerated. Even into himself he must "retire, the world shut out, imagination's airy wings repress, and in his soul's deep silence, and the depth of nature's silence," he should be allowed to inquire into the causes of his fall, and the extent of his misdeeds, and the possibility of reformation. This cannot be allowed in the male department of the County Prison. Some labor is performed there; some skill attained in a few branches of mechanic arts. Kindness is exercised by the keepers; but they are *keepers*—they can be no more; the duties of their position are discharged if they prevent the escape of those committed to their care, see that they are fed and clothed according to law, and, in sickness attended by a physician, and served by a nurse. They do all that.

## FEMALE DEPARTMENT.

In the female department the convict cells are less crowded, and more attention can be paid to the moral wants of the prisoner; more, certainly, is needed—more is given.

This department has in it too many prisoners for the number of cells which it contains; but relief is at hand. The long cherished plan of uniting the Debtor's Apartment with the Female Department, by extending the building of the latter up to unite with that of the former, is being put into execution; and before this report can reach the greater portion of its readers, it is probable that female prisoners will be placed in the new cells, and the intention of the law-makers, with regard to *separate* imprisonment, will be fulfilled in the female department of the County Prison.

In all these cells are placed copies of the Bible, and an Episcopal Common Prayer-Book is furnished wherever it will be received. Copies of Prayer-Books of the Roman Catholic Church are supplied by private liberality, and also copies of the New Testament, approved by that Church, together with tracts and other means of devotion.

The library of the male convict block, where are about four hundred prisoners, is pretty well furnished with books of travel, essay, history, admissible fiction, and sterling periodical literature. Large additions might be usefully made; but no book exhibits all its capabilities without some one to create an appetite and illustrate

the text. "Understandest thou what thou readest ? How can I, unless some man should guide me ?"

There is also a small library of a few hundred very readable books in the female department.

In the female department, moral and religious instructions are given by members who volunteer their services ; and several instances of good effects of a permanent character might be cited in the last year's experience. Many of the female convicts who are able to read, are wholly ignorant of the art of penmanship. Within the last year, an attempt was made to enable such persons to write a plain hand, and the success was far beyond the anticipation. Care was taken to make no effort with those who could not read pretty well, and especially to await an earnest request for the privilege. The *will* of the pupil seems to overleap all obstacles, and conquer all difficulties.

The success attending the attempt to introduce penmanship as a prison lesson is here mentioned, in the hope that it will encourage similar indulgence in other prisons. The liberty of writing is to be considered as a reward, and an encouragement to good conduct.

Several female convicts have left the prison with promises of good conduct within the past year ; and they have reported themselves at stated periods to those who assisted them to try to do well ; and it is believed that they are so satisfied that vice "does not pay," that they will derive *profit* from a continuance in a course of virtue so admirably commenced. In this particular more encouragement has been given than was ever before received in the same time. The encouragement, the hopes,

the expectations, if cherished, are not, however, founded on the professions of the repentants in their cells; it is abroad, but under the eye of the friendly visitor; it is in the liberty of public action, but under the surveillance of watchful friends, that the discharged convict gives proof of the sincerity of her repentance. It is a source of gratification to the Society that some of the repentant convicts who leave the County Prison, are followed by those who have exhorted and encouraged them in their cells, and are made to understand that the interest in their fate does not terminate with the termination of their imprisonment; and it is this confidence in the kind interest of others that encourages efforts to be and to do good, and sustains under the mortifying effect of the suspicions which meet them as they try to earn a living in a way that shall not lead to the prison again. It is with females especially that this knowledge of a refuge becomes the means of perseverance and success.

The whole number of visits made to the County Prison, in 1867, is not less than that which marked the action of the Committee in 1866. It ought to have been greater; but the male part of the County Prison does not present a desirable field for labor, either in regard to the pleasure of visiting the prisoner, or hopes of being useful to him in the future. It is very difficult to deal with men in parties. Singly, there is hope that what is said, even though while being uttered it offends, may, with the reflection of solitude, produce good resolution. When more than one are approached, every individual diminishes the chance of benefit, and that which, offered in the cell of the solitary prisoner, might have sunk into his heart

and produced fruits of goodness, would be likely, if presented in the presence of more than one, to be ridiculed out of the mind if either was disposed to listen, and the devoted visitor be made the object of taunt and contempt. Hence it is said, that the male cells in the County Prison have offered little inducement for the religious visitor—and yet they have not been neglected; probably about nine hundred visits were made to the various departments of the prison in 1867. We have already mentioned some of the results of these visits, especially to the female department. We incline to think that the promises of amendment on the part of male convicts have been more generally fulfilled than those of females—there are fewer obstacles in themselves, fewer in the opinions and customs of the Society, fewer in the amount of improvement required.

We might, perhaps, by inquiry, ascertain how many of both sexes have redeemed their promises; but we could never tell the amount of real comfort and consolation resulting to the prisoner from the kindly visits of the Agents and Committees of this Society; nor how much in later years these later virtues owe to the monitory and encouraging addresses of friendly visitors. Perhaps, too few look to the ultimate benefits from good advice; too many, certainly, desire to rejoice in the manifest and prompt good results of their own labors; they would place the seed-time and the harvest so near together as not to allow time for their planting to fructify. We must be content to do our duty now, and leave to another time the benefit of our labors. In a future day, when our principles and our plans shall have had

greater time for successful operation, then, perhaps, we may rejoice in our own tillage. "And the same hand that sowed shall reap the field."

---

## EASTERN PENITENTIARY.

The Committee of the Society visit the Eastern Penitentiary as usual; and women, by invitation of the Society and permission of the Inspectors, are constant and earnest in their visitation to the female prisoners there. We know that these visitors are welcome to the inmates of the cell, and we cannot doubt that they are extensively useful.

We have, of course, to desire that there were more visitors, and that the visits were multiplied, and trust that a field so promising will be tilled to a rich harvest.

A member of the Sub-committee, in care of discharged prisoners, assures us that good has come from labors in that direction. Reference is made to a young man, formerly a convict, who is now pursuing an honorable calling in an honorable manner. In a recent visit to the city to draw money from a Savings Bank, to prosecute his business, he gave grounds for the highest hope of a long life and extensive usefulness. He has been in constant relation with the member of our Committee who directed his mind in prison, and aided him by advice to secure a footing in the world which he was to try again. Such fruits as this, if not as plentiful as we could

desire, are still frequently rewarding and encouraging to, the Committee of our Society, and illustrative of the benefit of our plan of proceeding.

It is thought to be right to repeat what has been more than once stated in preceding numbers of this Journal, viz., that while it would be gratifying to those who labor in the cause of humanity at the cell-door, that there should be a statement of their business; and while such a statement of well established facts might encourage others to assist in the good work of reforming prisoners, it seems certain that any statement containing the name of a prisoner who had gone forth, and was redeeming his pledge to lead a good life, or any reference to the circumstance or condition of such a person, so direct as to attract attention, would defeat the effort of the released man to regain position, and would disappoint the expectations of the friends that helped him.

The following are the statistics of the Penitentiary for the past year to the 1st of December:

ADMITTED.		DISCHARGED.	
White male prisoners,	223	White male prisoners,	195
" female "	2	" female "	6
Colored male "	32	Colored "	27
" female, "	—	" " "	2
	<hr/>		<hr/>
	257		230

Whole number in confinement 1st December, 1867, 596.

We are indebted to a member of our Society connected with the administration of the Eastern Penitentiary, for the following exceedingly interesting table, showing

the working of the Penitentiary from the day it was opened for prisoners, October 29, 1827, to October 25, 1867, a period of thirty-eight years.

### COMMITMENTS TO THE EASTERN STATE PENITENTIARY.

FROM Oct. 25, 1829, to Oct. 25, 1867, A PERIOD OF 38 YEARS.	WHITE.			COLORED.			Total Number.
	Males.	Females.	Total.	Males.	Females.	Total.	
Whole number of Commitments,	4,456	190	4,646	1,130	135	1,265	5,911
Deduct re-commitments,	415	11	426	132	4	136	562
Number of different prisoners,	4,041	179	4,220	998	181	1,129	5,349
Here for the first time only,	3,705	170	3,875	864	127	1,011	4,836
Number of re-commited convicts,	326	9	345	114	4	118	463

From the above it appears that there were 5,349 different prisoners sentenced to the Penitentiary; of this number there has been discharged 4,825, as follows:

By expiration of sentence,	3,711	Removed by Writ of Habeas Corpus,	9
" Pardon,	783	" " Error,	15
Removed to Almshouse,	2 Died,		263
" " House of Refuge,	2 Suicide,		12
" " County Prison,	12 Hanged,		1
" " State Lunatic Asylum,	6 Escaped,		8
" by revocation of sentence,	4		
" " change " "	2		
			4,825
In confinement October 25, 1867, under first conviction,			524
Total number of different prisoners received,			5,349

If, now, we deduct from the 4,825 discharged prisoners the number died, committed suicide, and hanged, amounting to 276, it leaves us 4,549 different discharged prisoners, who were liable to re-conviction; and of this number the above table shows only 463 were returned to the prison, being a per cent. of 10.13 in discharged prisoners, a result very satisfactory to the friends of the Separate System.

Of the various subjects that have within the past years been presented to the readers of this Journal, as connected with the plans and principle of this Society, as well promotive as disturbing causes, and not here specially noticed, it is proper to state, that those within the proper sphere of the Society's action, have not been lost sight of. Appropriate times and circumstances must be waited for; but whatever affects the cause of public virtue, concerns those who watch over the discipline of public prisons; and the form and management of almshouses must be interesting to those who would promote philanthropic action. There has been no change in the system of Police Magistracy in this city, and, consequently, no improvement. The complaints justly made on this subject are against the system, not against the magistrates. In a time of general difficulty, such as in the late war, and not less in the succeeding season, men excuse themselves from meddling with existing institutions that are no worse than they have been; and when all is settled and quiet, men postpone the duty of correcting evils of an established system for the purpose of inaugurating something that may assist the movers.

There is no cessation of the evil of drunkenness; and it is difficult to say what would be the effect of any measure considerably stringent to diminish the use of intoxicating liquors. The popular will—public sentiment—gauged by the public *vote*, is omnipotent in the matter of State legislation, and, so many circumstances, direct that vote, even when a single question is at issue; that it is often to be feared that some local or colla-

teral interest has had expression in the vote, rather than that which is ostensibly before the public.

The measure which has commanded the services and means of the Society for a few years past, viz., that of having the administration of the prisons and almshouses in the State all subjected to one general responsibility, is, thanks to the efforts of the Society, gaining favor. The appointment of Mr. Mahlon H. Dickerson as commissioner to visit all the prisons and almshouses in the State, and to make report upon the structure of the buildings, and the administration of their affairs, may be regarded as the first effective step in their good work; and Mr. Dickerson's thorough discharge of the duties devolved upon him by the Governor, leads to the hope that we shall soon realize the benefits that the Society has been promising from such a commission.

It will be seen by the proceedings of the Society in West Chester, that as soon as organization was completed, plans were laid for carrying on one of the most important objects of this Society, viz., that of direct application of the principles of improvement to the individual inmates of the prison. This, the Parent Society is most thankful to Providence for the blessing on all efforts to establish Auxiliary Societies for Alleviating the Miseries of Public Prisons; but its greatest joy in that direction, is to find that these Auxiliaries are engaged in the generous effort to alleviate those miseries; that, besides the organization of societies, they are organizing bands of visitors, who are dealing individually with the prisoner. This "separate" approach to the unhappy inmate of a cell is a part of the system of separate con-

inement; and the proceedings at West Chester show how well our friends there understand the vast and beneficial capabilities of the Pennsylvania System.

---

## THE AGENT'S PROCEEDINGS.

The Society continues its labors through the agency of **WILLIAM J. MULLEN**, and has reason to believe that great good has been done by the timely interference in behalf of prisoners, whose friendless condition left them almost hopeless sufferers in the cells of the prison.

Mr. Mullen must, in the past year, have procured the release of more than a thousand persons committed for trial, of several hundred who having been committed absolutely, were discharged by the magistrate through Mr. M.'s interference.

It is impossible to form an adequate idea of the amount of misery endured by the head of a family in prison, and the family itself at home with the father or mother in that condition. We do not now allude to the shame, the wounded family pride caused by this incarceration, but we refer to the absolute physical suffering resulting from the loss of the day by day income for the parent's labor. This of course leads to moral social evils, as the want of parental provision and discipline at home often sends the children abroad to obtain what they require without much discrimination as to the means employed for that desirable end.

But the imprisonment of the father or mother often

leads to a mental suffering that would create sympathy in every well regulated mind.

"But," it is asked, "are all those whose releases are procured by the agent, innocent of the crime charged upon them."

The answer is explicit, "No."

Is it then laudable to save from punishment persons who have been guilty of a violation of the penal laws of the State?

We answer, that when the end proposed by the infliction of punishment has been attained, all infliction beyond, is, at least useless, if not unjust.

Crimes must be punished, so that it may be evident that the laws of Society distinguish between the good and the bad, so that the offender may know that he cannot with impunity violate the rights of others, so that seeing this, he may not be tempted again to expose himself to the penalties of the violated statute, so that the offender may be mended as well as punished, and by all these, so that Society may be guaranteed against the misdoing of the offenders.

Often, very often has the Agent been called to examine a case of a prisoner in which it was found that the act charged had really been committed—perhaps some petty pilfering for the first time. One night spent in the station house that the alderman may hear the testimony against the accused, in order to commit him to prison for trial, is something from which a sensitive mind must revolt. A residence in the untried apartment of the County Prison, in companionship with filthy and hardened offenders awaiting the action of the Court

of Sessions, may be regarded as something in the way of penance. Enough at least to show that the law and its ministers have no idea of allowing crime to go unnoticed—undistinguished from virtue. Enough to satisfy the accused that he is not master of the situation which he has assumed. Enough to make him say to his visiting friends, “I have felt enough to satisfy me that not only must I make restitution in some form to men and society whom I have injured, but I must give security that I will not repeat the wrongs I have committed.” It is due to those with whom Mr. Mullen deals to say, that many seem to find enough, full enough in these preliminary punishments to lead them to repentance, when there is reason to believe that had the punishment proceeded to the trial, conviction and imprisonment of the offender, his course of life would have been fixed in the pathway of crime. None can judge of this like one who has been for seven years watching, at the cell door, the movements, and listening to the language of young prisoners. It is not difficult to ascertain pretty well the amount of sincerity in the language of regret used by those newly accused; to one accustomed to the scene it is easy to distinguish between remorse for the crime and regret for the consequences, between mortification at the loss of position and regret for the disgrace brought upon others. A friend at the door hears and understands all this, and satisfied that the moment is pregnant with the fate of the young man, the agent proceeds to procure a settlement of the case, and in a large majority of the instances of his interference the results have been the restoration of the offender to society, and his entire

separation from the class of persons with whom he has been unprofitably associated.

This abatement of a vast amount of evil we cannot doubt operates beyond individual comforts into public proprieties, and many who have indulged in bad habits of rushing to an alderman upon every occasion of offence received, that they may punish an offence given, that they may avoid punishment, have learned a wholesome lesson to bear and forbear, to give and to forgive.

It is worthy of remark that a large number of the cases of which the Agent procures the settlement before, or in Court, the prosecutor himself pays the cost, and contributes something towards placing the accused beyond the reach of temptation, or at least where employment may be secured. It is wonderful how placable are many people who seem to be irascible and bitter; it needs in most cases only the persevering mediation of some kind hearted person whose common sense and disinterestedness are as apparent as are his desires to reconcile.

In this great work, the Society by its Agent believes that it stands prominent among all associations for alleviating the miseries of public prisons.

We should, if we had space, give some extracts from the interesting monthly reports of Mr. Mullen, as to his success in procuring the release of prisoners; but important as they seem and abundant as they are, we lose a portion of their interest by being unable to follow him in the work of providing for the discharged prisoner; and we lose much more in the fact that the smaller cases that are less difficult and less striking have no re-

port, although the mere sending home of a father or mother that has erred, to children that are suffering for want of the customary earnings or customary care may often, save from destruction, certainly from suffering, many whose cases are as important to themselves as are those of people that have distinguished themselves by great deviations from propriety.

It is impossible to make these things fully understood by those who have not seen prisoners in their cells, inquired into their condition, and ascertained the amount of suffering which the absence from their family produces, and how little good it does, and how little evil it prevents to hold them thus incarcerated. We do not mean that vice should not be condemned nor the vicious punished, but we would have great discrimination in all commitments, and equal care in all discharges.

Society is more injured by the confirmation of an erring one in guilt, by injudicious imprisonment, than it could have been by the exercise of the liberty which penitence had asked and charity granted. The prison is always open to receive any who fail of redeeming their pledge, to avoid vice and crime. It would be well if society were as open to receive and encourage those who have given a pledge not to return to crime and vice.

The law has a name for the *crime* of multiplying suits without cause, and it has a punishment for those who are proved to have committed that crime. It would be a blessing to society at large if in this matter the laws would provide a preventive as well as a penalty. Independent magistrates, we mean magistrates made independent of fees, by a fair, competent salary, could and

would prevent much of the vexatious litigation that fills the prison-cells, offends the Grand Jury and multiplies the vexations of our criminal courts and the expenses of the county. We know of no other preventive. Mr. Mullen does immense good by saving from twelve hundred to fifteen hundred people a year from trial, that would probably only keep them for a time in prison and keep up the taxes of the city. There is work for the agent, ample work to occupy all his time, even were there no commitments that the law will not sustain and the Grand Jury will not condemn.

---

## AUXILIARY SOCIETIES.

The Society has diminished none of its efforts to establish auxiliary associations in the interior of the State, and though only partial success has attended their efforts, yet it is gratifying to state that the subject of prison discipline upon the plan of improving, as well as punishing the offenders, is occupying more and more public attention. The animated exertions of the Society in New York city and the co-operation of the State authorities in Massachusetts, in the great work, show how prevalent has become the opinion that something may be saved from the wreck of a human being, and while he is submitted to discipline for a violation of the law of men, he may be made better by an application of the law of God, the law of love—a law no ways inconsistent with the administration of a law that punishes the offender. It is to be regretted that our co-laborers in the cause of prison improvement, in New York city and in

the State of Massachusetts, have failed to advance the great system of separate confinement, that they stop short of the means to reach the end at which they conscientiously aim, and seem rather disposed to patch up the old garment of congregate confinement with pieces from some new fabric, than to take the whole cloth and make of that what they need.

### CHESTER COUNTY SOCIETY.

It affords us much gratification to present to our readers the following statement of the proceedings to constitute a Society in Chester county, which, in views, labors, and objects is to be auxiliary to this Society. It is gratifying to notice that this new auxiliary has "gone to work" at once, and made itself felt and respected in the County Prison at West Chester, and it is no less gratifying to notice the cordiality with which the Inspectors respond to the request of the Society to be allowed to visit the prisoners :

**REPORT of the Executive Committee of the "Chester County Society for Alleviating the Miseries of Public Prisons," presented to the Society at its annual meeting, on the evening of December 3d, 1867 :**

OCTOBER 11th, 1867.—At a meeting of citizens of West Chester, called together for the purpose of considering the propriety of organizing a Society, in said borough, auxiliary to the "Philadelphia Society for Alleviating the Miseries of Public Prisons," on motion, Rev. Wm. E. Moore was called to the chair, and J. Lacey Darlington appointed Secretary.

James J. Barclay, Esq., who was present, representing the Philadelphia Society, upon invitation, made some interesting statements in explanation of the objects of the association ; and, after remarks by

several other gentlemen, favorable to the purposes of the proposed organization, it was, on motion of Dr. William Worthington,

*Resolved*, That it is expedient to form, in the Borough of West Chester, a Society, auxiliary to the "Philadelphia Society for the Alleviation of the Miseries of Public Prisons."

On motion of W. E. Barber, it was

*Resolved*, That a Committee be appointed to prepare a Constitution and By-Laws for the government of the proposed Society, to be submitted at a future meeting.

The Chair appointed W. E. Barber, Dr. Daniel G. Brinton and J. L. Darlington, to constitute said Committee, and to report at a meeting to be held on the following Friday evening, 18th instant.

OCTOBER 18th, 1867.—The Committee, appointed to frame a Constitution and By-Laws, submitted their report, which, on motion, was accepted and adopted.

On motion a Committee was appointed to nominate officers of the "Chester County Society for Alleviating the Miseries of Public Prisons," to report at a meeting to be held on the following Tuesday evening.

OCTOBER 22d, 1867.—The Committee, appointed to nominate officers of the Society, reported as follows, viz :

*For President*—REV. WM. E. MOORE;  
*For Vice-President*—DR. GEORGE MARTIN;  
*For Secretary*—WM. E. BARBER;  
*For Treasurer*—WM. S. KIRK.

*For Executive Committee*, in addition to the above-named ex-officio members—

DR. W. WORTHINGTON,	DR. ISAAC MASSEY,
REV. JOHN BOLTON,	WM. B. WADDELL,
LEWIS LEVIS,	
<i>Solicitor</i> —GEORGE M. RUPERT.	

The report of the Committee was accepted, and the above-named officers were unanimously elected.

On motion, a committee was appointed to ascertain whether legisla-

tion is necessary to authorise the Visiting Committee of the Society to visit the prisoners confined in the County Prison, and if such be the case, to frame a bill for said purpose.

On motion, the President and Secretary were appointed to communicate with the Inspectors of the Prison and solicit the privilege of visiting the prisoners.

The Executive Committee have thus presented the minutes of the proceedings of the preliminary meetings of the Society. Since the meeting last above mentioned, the business of the Society has been conducted by the Executive Committee.

In reply to the communication soliciting the privilege of visiting the prisoners, the Inspectors of the County Prison courteously and promptly acceded to the request of the Society, and directed the Keeper to admit the Visiting Committees, at all times, to the cells of the prisoners.

At a meeting held November 5th, last, the following persons were appointed the Visiting Committee, until the Annual Meeting, in December, viz :

REV. W.M. E. MOORE,	DR. W. WORTHINGTON,
DR. GEORGE MARTIN,	JAMES G. MCCOLLIM,
ALFRED P. REID,	WM. P. TOWNSEND,
REV. JOHN BOLTON,	ELI PALMER,
REV. J. B. McCULLOUGH,	JOHN LENT,
REV. JOSEPH S. EVANS,	JAMES G. THOMPSON.

This Committee was divided into six sub-committees, answering to the six ranges of cells in the Prison, and the times of their visits designated; the 1st and 2d Sub-Committees being directed to make their visits between the 1st and 10th days of each month; the 3d and 4th, between the 10th and 20th, and the 5th and 6th, between the 20th and 30th of each month.

These Committees immediately entered upon the discharge of their duties, and, as will be seen by their written reports, have, during the month of November, seen and conversed with every individual—whether awaiting trial, or under sentence—confined in the Prison. The number of inmates, at present, is twenty nine (29). The members of the Visiting Committee concur in pronouncing the sanitary

condition of the prisoners, excellent. The cells were clean and well ventilated, and the prisoners, without exception, expressed entire satisfaction with their treatment.

The Committee supplied some of the convicts with Bibles, and others with reading matter, and have undertaken to teach others to read.

The Society is now in full and effective operation. The Committees are required, under the Constitution, to visit the prisoners at least once in every month, and the Executive Committee hope to be able, at the next stated meeting of the Society, to present a far more interesting report.

By order of the Executive Committee.

W. E. BARBER, *Secretary.*

---

## PUBLIC MEETINGS.

With a view of bringing the existence and labors of the Society more fully before the public, it was resolved that a public meeting should be held, at which should be read some report of proceedings, and comments on the plans and labors of the Society should be made by some of our fellow-citizens.

The meeting was held on the evening of the 8th of February, in the Hall of the "Franklin Institute." Most unfortunately for the objects of the Society, that proved to be one of the most inclement evenings of the season, the rain descended in torrents for most of the day. As more attended the meeting than could have been expected on such an evening, it was thought best to proceed, and the meeting was opened by the President, J. J. Barclay, Esq; who was followed by Rev. E. R. Beadle, Hon. Wm. S. Peirce, Hon. James Pollock, Dr. Joseph Parrish, and Joseph R. Chandler.

It was evident from the interest manifested by those whom the weather did not hinder from attending, that such meetings may be made useful in enlarging a knowledge of the existence of the Society and extending the means of its usefulness.

In other parts of the country where the branch of social science, that includes prison discipline, is cultivated, it is the custom to hold a public meeting annually, and there seems to be no reason why this Society should not avail itself of approved methods of strengthening its hold on public esteem, and thus secure the co-operation of many who might not otherwise be made aware of the appeal to the good feelings, or of the duty which this Society enables them to discharge.

If these meetings held annually should be well arranged, and their attractions heightened by the services of good speakers, it is believed that very many who rarely see a copy of our Journal and who have no just appreciation of the labors and benefits of our Society, would be induced to aid our efforts by contributions toward our means of charity, or by co-operation in our deliberations in the Society, and the labors of our Committees in the prison cell.

There is a strong feeling on the subject of the vast addition to the amount of crimes in our community, and the consequent augmentation of the number of arrested and of convicts in our prison, and this leads to discussion as to the best mode of repressing the crimes, and especially to the mode of punishing the criminal. The cost too of supporting the penal institutions of our State, directs these inquiries into the channels of

economy; how can the costs of prisons be lessened without suffering the guilty to escape, and especially how can the prisoners be made to diminish the cost of their punishment and support?

Our Journal has presented all these questions and proper satisfactory answers. But annual public meetings of the Society might serve to present both the question and the answer, the difficulty and its solution, to hundreds who are not well-informed on the subject, and who are willing to learn and not indisposed to aid.

A good speaker might, even where a good writer might fail, open the mind of the public to the fact that punishment which does not reform is only restraining the action, while it husbands the vigor and sharpens the invention of the criminal. He might satisfy his auditors, who find little time and less inclination to read, that the cost of punishing a criminal is the smallest part of the tax which crime levies upon society, and that the plan of self support of a public prison, while it involves perhaps no injustice to the prisoner, is likely under ordinary circumstances to ensure a perpetuation of his criminal plans.

Public sentiment on the subject of prison discipline and all the physical and moral considerations that are connected with that branch of social science, need information. Men, till otherwise informed, hold the opinion which accidental association or reading suggested; ad captandum arguments find their way into the papers, and adverse circumstances are cited, and people who are willing to think right are left without information, and their opinions suffered to settle into firm prac-

tical convictions that at last withhold them from aiding a good work, and often leads them to assist in carrying out injurious projects.

Public meetings then, it is thought, will serve to correct certain errors and spread abroad correct ideas. Not only will the silent workings of our Society be better understood and more highly appreciated, but the plan for prison construction, prison administration and prison discipline will be presented for discussion, and thus exciting interest in the right direction, good must result.

A great many feel deep interest in the question of prison discipline who have little or no time to make themselves personally acquainted with the operations of different systems or the value of certain kinds of administration; such persons may find their views strengthened or corrected by oral explanations and discussions by those who have pursued the subject with some experience.

---

## ABSTRACT

*Of Report by Commissioner Mahlon H. Dickenson, on the  
Penal and Pauper Institutions of this State.*

The efforts made by this Society, two years since, to procure an official agent to investigate the affairs of the prisons and almshouses of this State, and to have a Commission, to which all information of these institu-

tions should regularly come, and through which it should, in a proper form, be communicated to the people, were not productive of all the results proposed, else we should, in this number of our Journal, present to our readers an abstract of the condition of all the penal and pauper institutions in the Commonwealth. But a step has been taken in the right direction and at the initial point, so that the work has been begun and begun at the right end.

Gov. Geary appointed Mr. Mahlon H. Dickenson as Commissioner to visit the Penitentiaries, Prisons and Almshouses of the State, to make report upon the structure, the administration, and the inmates thereof. With a knowledge of the ability of Mr. Dickenson, and of the peculiar adaptability of his talent and inclination, to such an undertaking, we had no doubt that the work which he assumed would be well done, and we could not doubt that such an execution of the Commission would lead to the other branch of our proposition, viz., the establishment of a Commission (under some name,) by which all the prisons and almshouses of our State would be annually visited, and their condition annually reported upon, and the knowledge thus conveyed to the Commission be by them put in proper form and distributed for the information of the people and the improvement of the administration of the prisons and charities of the State.

The full report of Mr. Dickenson's inquiries has not been made public; we do not know indeed, that he has presented a complete report of his commission, but we have read enough of his report upon many of the prisons

and almshouses which he visited, to satisfy us that his work has been well done, justifying not only our expectations from the man, but our recommendation of the Commission.

Volunteers from this Society visited within a few years not only most of the prisons and almshouses of this State, but even many in the adjoining and neighboring States, and a part of their reports were given in this Journal. The incomplete report of Mr. Dickenson, including some of the very institutions reported on by the visitors from this Society, concurs mainly in the opinions expressed by Messrs. Jeremiah Willetts and P. P. Randolph, and confirm all their statements, with such additional information as the authoritative character of his mission would naturally elicit.

Presuming that the Legislature of the State will order the printing of Mr. Dickenson's report, *in extenso*, we do not feel it best to give large extracts from the statements, as they do little else than confirm the statements of our own visitors; but they do that so thoroughly, so completely, that what was only suggested by Messrs. Willetts and Randolph, will be, we doubt not, adopted by the report and recommendation of Mr. Dickenson, who has shown himself admirably suited to the place he fills, by patient investigation, by entire sympathy with the cause of "social science" as connected with the construction and administration of prisons and almshouses, as connected with the system of discipline in both kinds of institutions, but especially as distinguishing between treatment of those bad men who have violated the law and deserve punishment and need improvement, and

those good ones who have conformed to the law, and have a perfect right to a support, with physical comforts and moral consolation.

We regard the Report of Mr. Dickenson as exceedingly opportune and gratifying. We have elsewhere in the present number of the Journal explained, in part, what is called the "Irish Convict System," and compared and contrasted its workings with what is called the Pennsylvania System, and we attempted to show that all of the particular advantages which were discovered in the Irish system were due to circumstances that favored the administration of the system, and the departure of the ticket-of-leave-men from the country in which their crimes had been punished; and all that is claimed as intrinsically valuable in the Irish system might be more easily and more profitably practised in the Pennsylvania penitentiaries, if incorporated into the administration of these institutions, as it could easily be, if deemed desirable.

Having that idea in view we have to notice in the first place, Mr. Dickenson's remarks upon that prison in this State, which he thinks, on the whole, is the best administered. That is the prison of Schuylkill county, situated in Pottsville.

"The building is constructed with a corridor, with a certain number of cells for the separate system, which appears to be carried on better in this institution than in any other I have visited in the State, outside of Philadelphia (of course, excepting penitentiaries). The Warden does not admit of any intercourse between the prisoners, unless there are more prisoners than cells,

which sometimes occurs, and then two are put into one cell.

The building is handsome and substantial, well ventilated, and warmed by furnaces, the whole structure fire-proof. Each cell is furnished with a hydrant and watercloset; cell, bed, clothing and bedding, scrupulously clean. In conversation the prisoners generally profess themselves satisfied with their treatment. The convicts have work, generally weaving and making shoes and boots, arts which are taught to them if their sentence is for a year. They are well fed; their sanitary condition is excellent; in the last year only one death occurred, and that from disease not contracted in prison. "This," says the report, "may be attributed in part to the cleanliness of the premises, but it is chiefly due to the fact that prisoners are kept separate, not crowded into small cells, to breathe impure air, vitiating by many breaths."

"Out of thirty-seven convicts remaining in prison on the 31st of December, 1866, twenty-seven were habitual drunkards, and ten claimed to be moderate drinkers.

"Punishment of refractory prisoners is by confining them in a darkened cell, with loose straw for a bed. But the Warden assured me that the cell was seldom used.

"In many points," continues Mr. Dickenson, "the Schuylkill County Prison is all that can be desired for a county jail. It is well built, and governed by officers who seem to understand their duty, and perform it well."

"There is one great objection," Mr. D. adds, "and that is, occasionally placing two prisoners in a cell. This

can only be avoided by an additional corridor, which could be easily added, as the grounds are ample. If it is not done, it will be impossible to preserve the present very excellent discipline of the institution, no matter how much the officers may desire it."

The account which Mr. Dickenson gives of the Lancaster County Prison, shows that institution to be deserving nearly the same commendations that are bestowed on that of Schuylkill County. It is ably conducted, well supplied with good food, and the prisoners receive moral instruction, have Divine service each alternate Sunday, and are taught to read and write.

The report of Mr. D. on Lancaster County Prison, shows that nearly all that can for the present be expected of a prison is attempted there; and that the Inspectors of that Institution are greatly in advance of most of those who direct the prison administrations in Pennsylvania. But the number of prisoners exceeds the number of cells, and to that cause is to be traced the failure which the Inspectors and the Commission deplore.

The officers, and all concerned, understand their duties, and endeavor to discharge them.

"The officers," says Mr. Dickenson, in reply to my interrogatory, "say that the defects of the prison are in the occasional want of more cells, and the only plan whereby this can be remedied, is an additional wing, in which to keep the convicts separate from those who are awaiting trial, and from vagrants."

The Report from YORK COUNTY shows that an excellent prison-house, well planned, well constructed, and

well supplied, fails of its purpose for want of proper administration. While there is abundance of cells for separate confinement, prisoners are crowded together without employment, without occupation, without instruction, without religious exercises on any day in the week, in a borough where there are so many clergymen. The failure here commences with the neglect of the law relative to separate confinement.

**INDIANA COUNTY.**—The account which Mr. Dickenson gives of the prison of Indiana County, should awaken the Legislature of the State to some action toward creating a system for jail direction. The place is not even a safe depository of criminals. We forbear particularizing; but Mr. D. thus sums up his account of that place:

“The ‘Black Hole’ in Calcutta has a world-wide reputation. The jail of Indiana County is deserving of a like notoriety. Brute beasts would pine away and die in such a place. Nothing having life could exist there any length of time, the place is in such a bad condition that it is impossible to keep it clean. Of all the jails I ever visited, this is the filthiest. The County has no Poor House, and consequently, no place for the insane. There are two insane persons in this jail at the present time. What a place for an insane man! The Sheriff may be a very humane man, but he cannot, in this place, give this class of prisoners the kind attentions they ought to have.”

It is hardly necessary to add, that the answers to the interrogatories, declare that the prison has no ventilation, no employment, no instruction or work, none in

trades, no religious service, no physician, and that the prisoners associate day and night.

The painful subject of misconstrued and mismanaged prisons, must come before the people of the State; and we believe that the publication of Mr. Dickenson's whole report, by the Legislature, will do a great and a good work. We cannot follow him in detail, but we may say that the responses to the interrogatories which he propounded to the keepers of the County Prisons, are pregnant with suggestion. With a few exceptions, almost all the keepers declare that the only remedy for the evil of erroneous construction lies in the erection of new buildings. As many state that their prisoners are without the means of literary and moral and religious instruction, and as a conclusion, it is evident that the State needs a supervisory power for the jails, that shall recognize in the prisoner some of the qualities of humanity, and that shall see that while the malefactor is punished for his offences, he shall have at his use the means and the inducement for improvement.

### ALMSHOUSES.

Humanity has as much to do with the construction and administration of Almshouses as with those of the prisons. Justice demands that the felon shall be punished in prison or by other means; justice no less demands that the innocent poor shall be provided with comforts; that in health they shall be fed and clothed, and in sickness tended and nursed. It is the right of society to have the felon punished; it is the right of the

poor to have decent provisions for his well being. Philanthropy will see that the convict is not over punished by the circumstances of his imprisonment ; philanthropy will see that the unfortunate is not *under* supplied with what his citizenship or his humanity may rightly claim.

Mr. Dickenson made diligent inquiries into the construction, administration, and condition of the almshouses. Many of them he found in excellent order ; and he praises with liberal commendation all that he finds good. It is gratifying that he found so much to praise. Generally, where the prison arrangements of the County were good, the almshouse accommodations were also good. In some Counties, where special praise is not bestowed upon the prison, warm commendations are given to the almshouse.

York County almshouse is well ventilated and warm, has a good hospital, and everything about the establishment bears evidence of kind treatment by the Steward and other officers. "It is the cleanest, best arranged, warmed and ventilated that I have visited in the State."

Lancaster County has an almshouse which is rather deficient in its provisions for the insane. Even a new wing being put up for the insane, is deficient in the improvements approved for such purpose.

Adams County Poor-house is connected with a farm. The administration of the place fails for want of knowledge of the duties toward the inmates. "There seems to be no separation of the sexes; nothing to prevent them from associating by day or night."

We would willingly copy much of Mr. D.'s report upon the various almshouses, but we have no space.

It is proper to state that in many townships, and in some counties, there are no almshouses; the poor are put up at "public cry," and the right of keeping them sold to the lowest bidder. The possibility of evils resulting from such a course is terrible; it does not follow that all thus purchased are badly treated, but it is likely that some are, and possible for all to be.

### THE INSANE.

We start with pain and mortification at the report which Mr. Dickenson makes of the treatment of the insane pauper and the insane prisoner. It is a horrible calamity to be deprived of reason in any degree; but that calamity is doubled when the situation of the sufferer is such as to comprehend the cruel nature of his treatment, with some appreciation of its cause, yet without a sufficient command of reason to escape the *punishment* for insanity.

"It is as if the dead should feel  
The icy worm around him steal."

In some counties the insane are sent to the prison to be kept because of a want of a better place; and the prison has nothing but a cold cell and chains to hold the insane.

"Indiana County has no almshouse, its poor in the several townships are let out to the lowest bidder, and the insane sent sometimes to the miserable jail that disgraces this County."

One miserable object who had a mania for setting

things on fire, was put into a coffin-shaped box and fastened close, with enough of the cover off to expose his face. Once a day the insane man is taken out of his box for air and exercise. Now the Sheriff is a kind-hearted man, and did perhaps the best he could with his means. But assuredly the State of Pennsylvania will not suffer much longer such a disgrace to humanity.

In Franklin County, one man David Wagamer, a native of the County, eighty years of age, has been an inmate of this almshouse for twenty years, and in all that time has been chained.

Speaking of the place of confinement for the insane in the Adams County Almshouse, Mr. Dickenson says : "This is a horrible hole for insane persons, and aught to be abated as a nuisance." I saw in the almshouse proper, a man said to be insane, who was chained fast to a fifty-six pound weight, which he is obliged to drag about with him when he moves. In the insane department of the house, there was found another man who was held by an enormous chain to a heavy weight brightly polished by long and constant use.

"In a row of badly constructed cells divided by board partitions, I found men and women, some of them chained down to the floor, with chains heavy enough to secure an ox, all of these chains polished brightly by long use, through years of horrible torment. Some of these poor creatures have been confined in these wretched dens for more than twenty years—as the Steward *believes*, though there was no record of proceedings; all was traditional, no one knew or cared for the wretched creatures.

Mr. D., was taken to the cell of a poor crazy women, who was declared to be the worst patient—she had had in prison, *the insane woman had had* several illegitimate children, she is white, about thirty five years of age. Two of the children were mulatto, a colored man drives the team of the place, she had others by white men.

An idiotic woman was pointed out who had lately given birth to a child; when asked who was the father, the Steward said he could not tell, but supposed it was somebody who came in off the turnpike.

We should hesitate about presenting such details if we were not seeking to show the necessity of a change by exhibiting the evils of existing *want* of system. But, oh! what a state of things for Pennsylvania men and women to contemplate!

Mr. Dickenson thus concludes his remarks upon this subject:

There can be no remedy for this but the erection of an Asylum by the State, where a sufficient number of the class of insane patients considered incurable can be accommodated, to warrant the employment of physicians and nurses who understand the treatment of such people, then they could be properly classified and rendered comparatively comfortable and many of them happy.

Those now confined in gloomy prisons and basements of County Poor Houses, and “pens not fit for the habitation of a brute, could be taken care of and some even restored to reason. A State Institution should be erected at once, where the counties that have not a sufficient number of insane and idiots to have a separate institution

for their treatment, could send them, where they would have better care, and the item of cost would not be greater than keeping them in the County Jail or Poor House.

Of course we only give a glance at Mr. Dickenson's report. In looking over its varied statements we are struck with the vast importance of the work in which he has been, and indeed now is engaged, and we are more and more confirmed in those views which we have for several years past expressed on the importance of a prison and an almshouse system for the State,

The office which Mr. Dickenson now holds was created in consequence of the efforts made by this Society. We hope it will be continued, and it is solely with a view to the public good that we express a hope that it will, with a remunerative salary, be continued in the person who now so ably discharges that portion of its duties which have thus far been developed. Duties, the faithful discharge of which show how much has been left undone, and how the crime of the felon has been perpetuated by the poor means adopted for its punishment, and how the miseries of the unfortunate have been augmented by the maladministration of the means provided for their melioration. How the wandering mind is fixed in insanity, and how the impression that insanity is a disgrace and must be treated like a crime, is deepened and made ineffaceable.

## RESPONSIBILITIES.

Mr. Dickenson in his visitation to the several prisons and almshouses, gathered views of the importance of a direct responsibility of the principal officer of those institutions, which he thus expresses :

In some of the States of the Union there is a system established by law, which includes under one central commission, the means of knowing how much each penal and charitable institution in the State costs and effects. And by this means each is kept up to its work, and each is benefitted by the improvement in the management of any other, while the report of each one to the Central Board enables that body to inform the community of the condition and progress of all the institutions in the State, and to propose alterations and improvements suggested by successful experiments elsewhere.

## SEPARATE CONFINEMENT—PENNSYLVANIA SYSTEM.

We cannot forbear to notice one grand conclusion at which Mr. Dickenson has arrived, after a survey of the two Penitentiaries and nearly all the County Prisons of the State, viz.: that the Pennsylvania system of separate confinement as administered in the Eastern Penitentiary in Philadelphia, is the true, and as yet the only one by which the end of improving as well as punishing the

convict is likely to be attained. Having expressed the opinion cited above of the importance of responsibility, Mr. Dickenson thus proceeds :

“ But, besides a system for the general control of our prisons and almshouses, by which they shall all be brought into a common accountability, we need a system —one system—of discipline and administration of the prisons, which would render necessary a certain correspondence in the plans and structures of the buildings.”

“ While we are showing the importance of a system of administration and discipline in our prisons, it is right to say that the State of Pennsylvania has presented to the world a plan of prison which is capable of producing the best results that philanthropy has ever expected, while administered with the zeal and devotion that true philanthropy suggests.”

“ It will be noticed that my highest recommendation is bestowed upon a County Prison, that of Pottsville, Schuylkill county, which was constructed and is conducted on the Pennsylvania system of separate confinement. The commendation was not bestowed because its plan was for separate confinement, but because it is evident that the success which attends the labors of the keepers and assistants therein, is mainly due to an excellent plan, which makes its administration easy, and which will admit of all additional minor plans to extend some of its branches into greater usefulness.”

“ Where there is no attempt to adapt that system to the wants of the prisoner, or adapt the prison to the suggestions of the Pennsylvania system, as exhibited, in the Eastern Penitentiary, there is squalid misery, pro-

fitless labor, a terrible waste of time and usually a lamentable deterioration of morals. We are not to suppose that every convict is altogether a rascal when he is sent to prison; but if placed in a cell or chamber with accomplished villains he is in danger of becoming, "not only almost, but altogether like" them. Separated from bad company, and at proper times visited by those whose sympathy and good wishes he could appreciate, he may court the sentiment of piety from his friendly visitors, and, in time, that sentiment may be nurtured into an established principle."

"Wherever this separate system with its necessary discipline is departed from in the construction and administration of a prison, there, just in proportion to the extent of that departure, is the want of propriety and improvement and a reference to the reports of observation upon the the different prisons, will supply instances to illustrate the remark."

"It was not my intention to advocate any system of prison discipline; it would rather be my object to urge the adoption of some system, and the faithful administration thereof when adopted; but with a view such as I have had of the different modes of punishing malefactors, and of attempts to make them better from their punishment, I could not fail to see that the Pennsylvania System as carried out in the Eastern Penitentiary, in Philadelphia, is that which if not perfect in itself, is, most assuredly, that which most readily admits of all improvements tried and approved elsewhere. But, to make any system of prison discipline beneficial, it must

be well administered; it must be carefully, patiently and conscientiously carried out."

Mr. Dickenson looks to the benefit of the system of accountability, and seems to have a hope that every year will add to the benefits by making more and more public the proceedings in the prisons and almshouses, so that while now we content ourselves with ascertaining what are the means, we shall soon be inquiring how those means are used and what is the result. Mr. Dickenson says:

"It is scarcely possible to visit all the almshouses and prisons, in this State, in one year, and obtain that information so necessary to give a correct idea of what they are now and to judge of the capability of each for improvement. The first inquiry must, of necessity, proceed slowly; certain things must be learned now that need not be repeated, and future inquiry may be limited to the progress and improvement upon what is the existing status."

"I look forward with great confidence to such advances in the system of prison discipline as will make all inquiries turn upon what has been gained."

It will not escape observation that the interrogations relate to a part of what is done. In some prisons so much work is done, reading and writing are taught, and moral instruction is given; it is true that these answers are confined to a few prisons, but they are obtained, and hence we may hope good results from these efforts. But at some future visitation the interrogatory must be "*How?*—*How much? and to what end?*" and especially, "*What are the results? what direct good to individual*

prisoners, and, through them, to society, has been produced?"

---

## THE IRISH CONVICT SYSTEM,

*Its Workings and Capabilities, Compared with the Pennsylvania System.*

It is a good sign of the times, that in various parts of the world the question of the punishment of the criminal is connected with the improvement of the man. It is a part of the fruits of the public exertions of the philanthropist, in the direction of prison management, that we hear earnest discussions of the question, "What shall we do with the convicted felon?"

We wish that all who interest themselves in this very important inquiry, would at once adopt the theory which this society has presented as the result of careful inquiry and satisfactory experiment, so that the united effort of philanthropists would assist to perfect the execution of a good plan rather than to attempt to form a new theory. But such a concurrence of views and union of action are rather to be desired than expected. Many who come to the investigation of the subject of prison discipline bring with them prejudices (pre-formed judgments) in favor of one or against another system, and without being aware of this pledged state of their own mind, and consequently being ignorant of the fact that they are seeking to sustain one system or to put down another, they bend their faculties to the support

of an old opinion rather than the adoption of one that is new.

There are others, who, seeing how well systems work, in consequence of a careful administration, think, and with some considerable correctness, that

“That which is best administered is best,”

and thus, by their influence, they perpetuate an erroneous system in other places, where the administration is much worse than the plan.

There are others who look with deep interest into the workings of systems of prison management, and have the means of judging justly of the effect of the plan, and of its administration, upon the condition, present and future, of the prisoner, but who nevertheless seem to lack the power of appreciating the effects of circumstances, and who thus fail to see that what under all circumstances is the best in one locality, is easily exceeded in another.

It is difficult to inaugurate an entirely new system of prison discipline in a country where the old means are abundant, and where a total change would lead to considerable cost, and those costs render necessary heavy taxation. While in a country that has little of antiquity to strengthen prejudice and create attachment, it is less difficult to commence a system that will admit of such extension as shall include all the wants of a prison with the capability effectually to detain, appropriately punish, and thoroughly improve.

There is another class, that seem determined to wait the result of all trials, and to judge of each system only

by the errors which may be committed in its administration. We have all waited too long. That waiting has strengthened interest in, and thus promoted attachment to, bad systems, or it has left the whole question, in important parts of the country, to accidents that have no relation to systems, and so we see the kindness of the keeper of a prison made inefficient, and valueless to the county and the convict, by the effect of the harshness and severity of his predecessor, and jails are made bad by the eccentricities of officers who have no system by which to govern themselves or their prisoners.

We need a system for the construction and management of our public prisons. Excepting in the Eastern Penitentiary of this State, we have *now* none, and even in that great prison the administration of the system is disturbed by such an excess of prisoners as to place more than one convict in some of the cells. In the County Prison, where, at least in the convict portion, something like system once prevailed, the separate confinement is rendered impossible by the influx of prisoners to the extent of more than two to each cell.

With the exception of some forty cells, separate confinement is practised in the Eastern Penitentiary with constant and perhaps with increased benefit to the convict. Religious and moral instruction is provided for, and a "chaplain," and the constant attendance of numerous visitors of both sexes, insure to the inmates of that great prison advantages of vast importance.

Moral and religious instruction goes on in the County Prison of this city also, but its advantages are greatly lessened by the number of convicts in each cell, espe-

cially in the male department. In the female department the disturbing cause is not so great.

We need a system, (or we need the means of carrying out a system, so far as the Penitentiary and the County Prison are concerned,) but we need a system upon which all the penitentiaries, prisons, houses of detention, places of refuge, houses of correction, &c., shall be conducted.

We have already given our views upon a general system for the prisons of Pennsylvania. We will not refer to that system now, further than to say that its first and most essential element is *Separate Confinement*.

But others have different views. Some object to separate confinement as useless; others denounce it as injurious to the prisoner, injurious to the mind and the body.

We do not purpose now to discuss the question of separate confinement, but we wish to notice a proposition which has been some time occupying the attention of persons concerned in prison discipline, and which has lately been placed distinctly before the public, in a way and by persons that compel consideration.

The "Twenty-second Annual Report of the New York Prison Association" gives the result of direct personal investigation into the character and management of a large number of prisons and penitentiaries in the United States and Canada. And with a proper regard to the wants of the public, the Committee of that Society (Rev. E. C. Wines, D. D., and Theodore Dwight, LL. D.) deduce from their observations, and from reports of others, what they consider the true plan of treating prisoners—or perhaps it would be better to state that they select a

plan which has been tested, and which proves beneficial, and they recommend *that* plan as approaching the nearest to what they consider the true mode of punishing and improving offenders against the laws of the country.

The system which meets with the approval of the New York Commissioners mentioned above, is that known as the IRISH CONVICT SYSTEM.

We have frequently noticed the "Irish System" with high approval of most of its parts, and have from year to year referred to its benefits, strengthening our remarks by the statements of philanthropic gentlemen and ladies who had taken an interest in the work of prison discipline, and who had made and improved opportunities to visit Ireland with the sole purpose of understanding "the Irish Convict System," and of marking its progress, and testing its usefulness by actual observation, especially in watching the progress of convicts through the different grades of imprisonment which the system requires.

As we mean to offer some grounds upon which may be formed ideas of prison discipline, we shall give an abstract of what Drs. Wines and Dwight present as the "Irish Convict System." We regret that we have no space to give the whole of this well condensed statement. (Nay, we have space, or could secure it—we need the means to print it for the benefit of the cause.) Doing the best we can, we give an abridged view of the

### IRISH CONVICT SYSTEM.

In the first place, it should be said, that the Irish convict is never sentenced to less than "five years" imprison-

ment, and that the plan of discipline does not regard the character of the felony for the commission of which the convict is to suffer. A course of confinement is prescribed, and its length, in a certain degree, and its inconveniences made dependent upon the conduct of the convict *after* sentence. There are, of course, limits prescribed by the Court, beyond which the offender may not be detained; and there is a time prescribed by law, short of which no good conduct of the prisoner can release him. If the prisoner has been sentenced to five years imprisonment, he may, by good conduct, properly reported, obtain a remission from the whole time of the sentence of *one year*.

If the sentence is for ten years, then a remission may be obtained of *two and a half years*.

If the sentence is for fifteen years, then the remission may be obtained of **FIVE YEARS**.

And when the sentence is for other periods, remission is obtainable, proportioned to the length of the sentence on a similar scale.

Let us now look a little at the *personnel* of this Irish plan.

By whom is it administered ?

The chief power employed to direct the criminal prisons in Ireland, is a Board of two *Directors*, who are appointed by the Lord Lieutenant. Their whole time is to be given to the work of their office, for which they receive a salary of \$1,800 to \$2,400 a year. These directors reside in Dublin, and visit the prison personally very frequently. They appoint "inspectors," whose duty it is to make inspection of the prisons and report to

the directors. The officers are appointed by the Lord Lieutenant. A probation of six months must precede the appointment; in which time the character, conduct and ability of each candidate are tested, and daily records made of the observations. In the appointments, neither political nor personal considerations have any influence.

The great principles upon which rest the Irish plan are, *First*, The subjection of the convict to adequate tests, by which his reformation can be determined, before he can be discharged; with the establishment of some means by which the reformed may be effectually separated from the unreformed.

*Second.* Such an application of the discipline, whether mild or severe, as will reach the particular case of the prisoner, individualizing him in his passage through the various stages of his seclusion.

In the progress of the prisoner through the discipline of the Irish System, there are three stages of imprisonment. The first is strongly penal, and is in the prison of Mount Joy, on the north side of Dublin. (We shall confine our explanation, for the present, to the application of the system to *males*.) There are in the prison 480 cells for males; the cells are fourteen feet long by eight wide and twelve high, and arched ceilings, and are properly and comfortably supplied. Each prisoner has a cell. The confinement is *separate*, but the exercise, the instruction and public worship, are *social*.

In the cell the prisoner spends eight months closely confined, with the exception above noted. The time cannot exceed twelve months. During the first four months the convict must sleep on a plank, with a box

for a pillow, with low diet, no meat, and steady work. At the end of four months he receives a bed, and his diet is improved.

By little and little the convict earns privileges; his cell is opened a part of the day, then all day, and he has secular and spiritual instruction. Zealous chaplains, Catholic, Episcopalian, and Presbyterian, give religious instruction, and lead in divine service, for which there are three neat chapels. Good schoolmasters are provided. Here the convict is made to understand that he is master of his own destiny; that his conduct, good or bad, will tell upon his position in that stage of his confinement in and by which his future position is fixed. The shortening of his sentence finally depends upon the date of his admittance into the intermediate prison (the third stage.)

## SECOND STAGE OF IMPRISONMENT.

At the expiration of the first stage (the stage of separate confinement, the length of which depends upon the marks for conduct which the prisoner has earned) the convicts are transferred to a prison in which they are employed on government work. If laborers, they are sent to work on the fortifications; if artizans, to Phillips-town prison, where they work at in-door trades.

In this stage, something of the severity of the first stage is remitted; though, in the early part especially, the prisoners are closely watched. They work together during the day, at night they have separate cells.

A great feature of the system presents itself in this, the second stage. It is the employment of marks to de-

termine the classification. The mark system is a perfectly intelligible monthly record of the power of the convict to govern himself.

The maximum number of marks attainable by a convict each month is nine, (9) viz., three (3) for "discipline"—that is, general good conduct; three (3) for "school"—that is, attention and desire shown for improvement, not the absolute proficiency; three (3) for "industry"—that is, diligence and fidelity in working, not merely the skill manifested.

There are five different classes in this "second stage," and a certain number of marks is necessary to advancement, beginning with the lowest, "Probation Class," "Third Class," "Second Class," "First Class," and "Exemplary Class."

There are rules touching the removal of prisoners from the "first stage," at Mount Joy, the place of separate confinement. Should any be sent on medical grounds to Pike Island or Phillipstown, the "second stages," they must enter the "Probationary Class." Some who leave the first stage with the mark "Bad," or very "Bad," must enter the probationary class of the second stage, and receive the treatment of food, and separate confinement, of the first class. All who come from the first class without "bad" marks, or with "good" ones, take rank according to the character they bring; and any convict in the second stage may rise from the second to the first class in six months with fifty-four marks, and from the first to the "Exemplary Class" in twelve months, by gaining one hundred and eight marks.

There are certain pecuniary rewards for good conduct,

rising in amount with the class rank of the convict. This amount, carried to his credit, may be forfeited by misconduct.

Misconduct is also noted, recorded and reported.

Punishments consist in admonitions, deprivation of a meal, close confinement, with bread and water, forfeitures of gratuities and other privileges, degradation to a lower class, or even to the discipline of Mount Joy, the first stage.

Books of record of all proceedings and conduct are kept. Classes are distinguished by dress and badges. Each prisoner wears two badges, a "register badge" on the right arm, to mark his sentence and "register number;" and a "conduct badge" on his left arm, to mark his conduct and progress. These badges are multiplied and varied in size and color, to denote conduct and class.

### THE THIRD STAGE.

After passing at least a year in the "Exemplary Class," (a longer period, if the length of the sentence requires it,) the convict becomes eligible for removal to what is called an intermediate prison—*the third stage*—where even the last slight props are, as far as possible, withdrawn, and the convict, to use a distinguished prison phrase, "is left to stand on his own legs." All surveillance is withdrawn—labor is performed without an overseer, conversation free—few restrictions are imposed—the gratuity is increased—freedom in the use of earnings, excepting the purchase of intoxicating liquors. Here the effects of former discipline is tested, and preparation is made for future entire freedom. Lessons and instruc-

tive lectures are enjoyed, and in the meetings of the half-freed prisoners, questions of various kinds, chiefly of social science, are discussed—and often well discussed.

#### FOURTH STAGE.

This Fourth Stage is not one of imprisonment, but a further and final trial. When the convict has been in the intermediate prison (the third class) for the prescribed length of time, (varying, according to the length of the sentence, from six months to two years,) he can claim the right of having the authorities consider the question whether he is entitled by his previous good conduct and character to his discharge on a *ticket-of-leave*.

The conditions of this ticket-of-leave are very stringent, and the departing prisoners are advised and aided, and while they are in Ireland they are carefully watched. But many of them go to the Colonies, more to the United States.

Many of these ticket-of-leave men find employment in factories and foundries, and on farms, and are preferred in many cases to the hands that have not undergone imprisonment.

The care of the Superintendent of the *Third Class* is extended over the prisoner as he goes forth with his ticket-of-leave—and in *that* care lies the great success of the system, perhaps; certainly of the Third Stage, as extended into the *Fourth*.

We have been speaking hitherto of the treatment of male convicts in the different stages of the Irish system, following the abstract in the New York report, or rather giving a meagre abstract of that interesting condensa-

tion ; and we have space now for only a very short notice of the treatment of FEMALE CONVICTS.

There is at Mount Joy, near Dublin, a convict prison for females, resembling in outward appearance that for males.

Every arrangement here seems to be complete ; and all the officers and their subordinates, are skilled in the treatment of the prisoners according to the system. The time and nature of the imprisonment is modified in regard to the sex, and something of what belongs to the second stage of the male prison is admitted in this the first stage for the female. The particulars are interesting, and the success of the system must greatly depend upon an exact performance of the rules. And we notice that in this stage of female imprisonment there is a little colony of infants—born in prison, or received under two years of age.

It does not appear that the female convicts have what is called the “intermediate,” the “*third* stage;” its place is in part supplied by two excellent “female refuges,” which have been established in connection with Mount Joy, the first stage, one for Protestants and the other for Catholics.

In the PROTESTANT refuge the number of inmates rarely exceeds ten ; they are employed on laundry work, on which they earn a considerable sum.

They have hard work and poor fare, lest they should love the prison too well. The women get pretty good situations, and they are sought for ; some of them emigrate. They attend the parish church in a body, but as individuals.

The number under training in the ROMAN CATHOLIC institution presents a greater variety of character and occupation. Domestic work of all kinds—rearing fowls, milking, cooking, and washing, on a considerable scale, are all vigorously carried on. The dress of the women is cheerful, and the well-being of the inmates is promoted in every way.

We copy some remarks by Miss Jellicoe on these female refuges :

“These refuges afford the opportunity of doing for these joint heirs with us of immortality what has been so abundantly done for ourselves. Here they can be striven with as women, by women, won by love to the paths of virtue and respectability, made to feel that justice can be tempered with mercy, and established in a position where the fires of temptation may rage less fiercely and fatally around them.

“The fundamental principle on which the whole mechanism rests is one which must be acknowledged, by all who have studied the cause of human degradation, to be the only sound basis of permanent reform—the intelligent co-operation of the individual herself in the efforts for her own amendment. By placing a premium on qualities totally different from those which led into crime, the system gradually accustoms the prisoner to the loosening of the moral swathing bands by which she was at first restrained, and by infiltrating, as it were, habits of industry, self-denial and *self-respect*, without which no woman can be reclaimed, places her in circumstances to secure herself from a relapse into crime. To so comprehensive an aim is added the elevating influence of religion.”

To one who is seeking means for forming an opinion upon modes of prison discipline, the minutiae of detail are vastly important, and we regret, therefore, that we lack space to give as full an account of all the daily proceedings in the “Irish convict” prison as we have received. To one who has been conversant by long ex-

perience with the management of prisoners, it is evident that a knowledge of these details is as necessary to the comprehension of a system, as the practice of them is to the development of the system.

The "Irish system," it must be borne in mind, is for "convict prisons," where long terms are usual, the lowest term being five, and the longest fifteen years; and though in some of the county prisons in Pennsylvania there are convicts serving out twelve years, yet they are so few that they scarcely form a class upon which an experiment of the Irish system could be made. It is in the Penitentiaries that the experiment must be tried.

But before we proceed to inquire whether the Irish system is adapted to the circumstances of this country, it may not be amiss to ask whether any other system than that now in use in the Eastern Penitentiary is required for the punishment and the improvement of the convicts, and for the safety of society against the future felonies of these prisoners.

Few prisons, we believe, have ever been constructed with a more successful effort to secure the health of the prisoner, and his certain incarceration, than is evident in the plan of the Eastern Penitentiary. Very few escapes from its cells have been made by the convicts; and the health of the inmates has been almost universally good. The objection raised in some quarters against the system of separate confinement, fully adopted and carried out in this penitentiary, is that "it tends to produce insanity."

We are not able to treat this subject scientifically it is one that is the speciality of another profession; but

this we can say, that it does not appear that the minds of the inmates of the Eastern Penitentiary have been injuriously affected by their separation from intercourse with other felons. An inquiry shows that if the number of insane in the Penitentiary is proportionately greater than in society at large (which we do not know) it is certainly not greater than in other penal institutions where the associate system of confinement is practised.

Because a prisoner becomes insane in his cell, it does not follow that it is the cell that makes him insane. Mortification at detection and conviction may operate to produce insanity in one who had been born in affluence, and reared with respectable persons; reaction, in consequence of withdrawal from active and perhaps dissipated life. Those who are conversant with prison life know that there are other causes for insanity as operative in the associate as in the separate system. And it has appeared to us that in inquiring for the cause of insanity of a prisoner, people fail of ascertaining the true cause, by supposing that nothing but imprisonment has produced that which is only more fully developed in the prison. If we go back we may, perhaps, find in the crime for which the criminal is suffering an evidence of his insanity. Jostling in society, passing from one business to another, or obstructed from social intercourse by excessive devotion to one kind of employment, the peculiarities of language and conduct escaped close criticism; men are sometimes said to be "odd," "eccentric," "given up to business," "oil—coal—money making is on the brain." The silence and the solitude of the convict cell may not make the unfortunate man worse, but it

will enable others to judge more correctly of his mental condition, and failing of the diversity of pursuits, and of numerous associates, by whom his conduct is judged only by parts, he will present the real state of his mind for a correct judgment. The whirl of active business life made his plans and his language present fair combinations and sound deductions, as the rapid movement of certain toys present pleasant combinations; but the stillness and quiet of the cell show the poor man's mind broken, as the resting of the toy exhibits the elements or broken figures of which the moving picture was composed.

In any comparison between the separate (the Pennsylvania) system and the Irish convict system, it is proper to recollect that one great argument in favor of the separate system is derived from the fact, that the convict in one cell of the Penitentiary knows nothing of the name, condition, or crime of his next cell neighbor; and hence the "amended" and discharged convict is not in danger of exposure and mortification by the enforced association of some "Penitentiary companion," while the ticket-of-leave man, who is trying to do well, is always in dread of being discovered by some companion of his "second stage," who has got his ticket-of-leave, but has not acquired resolution to do right. This unfortunate recognition has often overcome, and almost as often resulted in the ruin of the man who had tried to do well, while we have numerous instances of men serving in the same factory, the same iron works, in the same military company in time of the war, and enjoying considerable intimacy without either recognizing in the

other his fellow-prisoner for years in the Eastern Penitentiary. The same thing has occurred with men who were for two years contemporaneously confined in neighboring cells in the County Prison. The fact became known to the writer hereof through the reception, by their moral instructor in this city, of a letter from each of them, who were in the same regiment, and each had the same thanks to return, the same promise to make, and above all, each was rejoicing that he had got away from companionship with bad men, and was where no one knew that he had ever been a tenant of a prison cell. Yet each of these men occupied at the same season a cell in the County Prison, the one having cell H., and the other K., and were visited several times each week by the same moral and religious instructor. Surely this is a most important result, and well worthy the consideration of those who desire to have the prison a place of improvement as well as of punishment; who desire especially that the repentant and discharged convict shall not be frightened from his propriety by the appearance of one who was an associate in vice and its punishment, without having shared in the repentance and reformation.

It will be understood that it is not alone the actual recognition of a former companion in crime and imprisonment that does injury to the repentant offender, but knowing that very many with whom he was in daily and nightly intercourse while he was undergoing punishment in the "associate system," or the "second stage" of the Irish convict system are abroad, he lives an unsettled life wherever he may be, startled at every ap-

proach of a new face, lest he should recognize therein the features of some former companion, who might disturb all of his plans for good conduct, and drive him from the home in which his new virtues were taking root, and where his resolutions of good were beginning to be realized. "The thief doth fear each bush an officer;" but it is not arrest that the discharged convict dreads, it is exposure, or its terrible alternative of renewed crime.

We have thus, "in passing," noticed one point of great importance in the consideration of the separate and associate system, of the Pennsylvania and the Irish convict system. One can scarcely overrate the value of the result of separate confinement upon the discharged convict.

We have already expressed our views of the importance of carefully carrying out a system of prison discipline, and we are free to say, that we have rarely heard of any system more admirably administered than is the Irish system, as it is now presented for public consideration and approval.

#### IS THE IRISH CONVICT SYSTEM PRACTICABLE IN PENNSYLVANIA ?

That is an important question.

To carry out the Irish system in this State, there must be prisons constructed for the "first stage," with means for confinement and labor such as are not now to be found. And the "*second stage*," seems to be equally unadapted to any building or situation which we now possess. And the "*third*," or what is called the "inter-

mediate stage," has nothing analagous in this country. And the "*fourth* stage," that is ticket-of-leave, would be without effect upon the convict as the different laws of our several States, and the ease of changing position, would enable the "ticket-of-leave" man to renew his depredations upon society with little or no chance of detection; his ticket-of leave would enable him to leave the county or State in which his former crimes were committed, but would do little towards preventing his felonies, or securing his arrest.

There is no police in this country equal to the necessities which would be created by the use of the ticket-of-leave. Men do not bear their tickets-of-leave upon their forehead, like a Phylactery, nor suffer it to depend from the coat-breast, like an order of nobility. The ticket will serve to assist the bearer, should he be recognized by some who knew of his crimes, or had seen him in punishment, and it might thus prevent his forcible restoration to the prison which he had recently occupied. But the convict will not, under other circumstances, exhibit the badge of existing allegiance to a penitentiary; and he may depredate at large with the proof of his *reformation* in his pocket. It is true that he will not be *more* free to travel and to do wrong than those who have not been arrested, but he will travel, and may depredate with all the experience of his former life, and all the instruction of his prison association, and will be doing these and other wrongs in the very time which was presented to him for prison discipline.

We note, as one very strong objection to the adoption of the "Irish convict system" in this country, the almost

impossibility of using the ticket-of-leave. The want of a police to keep the "ticket-of-leave man" under the surveillance necessary to make the liberty of the ticket useful to him without being dangerous to the community.

On this view of the subject two points present themselves. Ireland is small, geographically considered, and the ticket-of-leave man is easily watched, and his movements noted. Should he cross the Channel to Great Britain, he would be almost as well known and as carefully watched as if he were in Ireland. Should he use his freedom and come to the United States, as it is said most of that class of persons desire to do, and as many of them really do, then not only does the necessity of surveillance cease, but all responsibility is shifted, and the ticket-of-leave man finds a refuge from watchfulness and suspicion, and thus the country is freed from his presence.

But in this country the "ticket-of-leave man," seeks for no means or opportunity for emigration. There is no where else to go (of course, we are speaking of the ticket-of-leave man, who returns to bad habits, many of them, we hope, intend to do well and carry out their intention;) but for the bad, we say there is no where else to go. Dismissed from the Penitentiary in Auburn, with his ticket-of-leave well concealed, he could go to New York city, and be as safe from the police as if he had always been honest, or, if remembered there, and watched, he has Boston, Philadelphia, Baltimore within a day's ride; and even should there be some understanding between the police forces of the Atlantic cities, so as to expose the "ticket-of-leave man" to an unpleasant

surveillance, he can retreat to the West. Cincinnati, Louisville, St. Louis, Chicago, may conceal him, or if these fail, the Pacific and its slopes may afford him refuge and prey; and "the ticket-of-leave" man would have a world before him where to choose, without the necessity of leaving a country so ample as to allow him scamper-room for a lifetime.

The Irish convict system gets clear of liberated convicts by enabling them to leave the country where they would be known and marked, and to find a refuge where at least the good people of the Green Isle would not suffer by the abuse of ticket-of-leave freedom, and the English Government would not be taxed for their support, while the "ticket-of-leave" in this country would only send the bad of one State to renew their felonies in another.

The use of a ticket-of-leave is to allow a convict who has served out a part of his sentence to show that he has been lawfully set at large, should he be arrested as an escaped felon; but as that ticket-of-leave shows him to have been convicted of felony, he will, of course, seldom exhibit it to any one.

Not only is there in Ireland and Great Britain more police authority, more policemen employed in both Islands than we shall ever see in this country; but there is *there* a full correspondence among the police, and a general concurrence of authority not known, not possible, indeed, in this country; and, consequently, the released convict has every thing to fear in that country, should he expose himself to re-arrest, while in the United States the police is sparse, and there is very

little in common between those of distant parts of the country.

Again, authority lacks respect in this country. We will not pursue that idea; but it is certain that there is not in this country that habitual regard for public authority which is found in Europe, and consequently there is less fear of that authority, whether that fear has reference to the chance of detection, or, if detected, then to the chance of punishment.

The New York Report, to which we have referred with great respect, (the utter failure of the New York prison system being evident,) suggests the adoption of the "Irish Convict System." But that system would involve the necessity of new buildings, at immense cost, and finally, or rather consecutively, the purchase and maintenance of farms. We do not pretend to say what the circumstances of the New York higher prisons suggest by way of remedy; but we think we are safe in saying that Pennsylvania is not prepared to erect experimental buildings at a great cost, when the system upon which her Penitentiaries are built and conducted is opposed chiefly by those who have not the means of testing the efficacy of that system, and seem to present and commend other systems chiefly because the old castles, convents and charity-houses enable them to coop up in crowds their recently convicted, but fail of space and convenience to continue them through a sufficient term for improvement.

Before closing our paper, we wish to state distinctly that we have received from no papers on prison discipline more pleasure than we have derived from those in

the New York Report. They are ably written; they denote a heart in the work; and if we did not know of a better system, or a system better adapted to the circumstances and habits of the people of this country, we should say that the "Irish Convict System," as presented by the New York Society for adoption in the State of New York, is not only worthy of consideration, but really deserving of adoption in other States.

We have in Pennsylvania a better system than that which has its initial point near Dublin. The "Irish System" commences with separate confinement, and illustrates, as far as it goes, the advantage of that system, but it defeats the ends which that system proposes and secures when fully practised, by resorting, in the second stage, to the congregate system, and continuing through all the imprisonment, the means by which convicts may cultivate acquaintance with each other, and strengthen resolution to renew depredation when released.

What has rendered the Irish Convict System so practicable, is the circumstance which we have already noticed as peculiar to that country, or to some other European countries. What has made the Irish Convict System so successful, is the admirable manner in which it has been administered. The appointments of all kinds—Inspectors, Directors, the Governor, the Keeper, the teachers, and the religious instructors, all receive their appointments and hold their places without regard to *party politics*. The clergymen represent the three great theological divisions of the country, viz., Catholic, Episcopalian and Presbyterian.

Thus the business of conducting a prison is raised

from the drudgery of keeping close, and imposing and enforcing tasks, to the dignity of making that close keeping the great means of moral and mental improvement, and rendering the imposition and enforcement of tasks the means of future usefulness. Certainly the Irish Convict System has shown itself greatly useful in that connection and to that end.

But keeping in view the difference in the habits of the people, the circumstances of the countries, and especially the difference in extent of territory, and the effect of that difference on the operation of prison system, we have to offer an opinion, that in all respects the great system of prison discipline adopted in the Eastern Penitentiary of this State, is of all others in the world the best, and the results have shown to the satisfaction of close observers that all that could be rationally expected from the discipline of great offenders have resulted from the application of the system to that prison; and those who are most intimate with the interior workings of the Institution, and have possessed and used opportunities to test the benefit of the system as illustrated in the subsequent conduct and condition of those who have been its enforced inmates, declare that, if all their sanguine expectations, formed before they had studied the circumstances of felons, had not been realized, they are almost astonished at the beneficial results of the application of the system, now that they possess the means of judging of the great difficulty of reforming a convict.

We see in the details of the proceedings in the prisons for Irish convicts, means for improving the character and conduct of the convict; and we wish to express our

hearty approval of the means used in the Irish prisons to make better the miserable people who have to serve therein from five to fifteen years, unless the term be a little shortened by the proof which they can give of amended principles.

But while we laud these plans, and, in the name of humanity, thank those who officially or voluntarily promote the good work, we have to say in the first place, that much of what is practised in the Irish convict cell, and is so warmly and so fully applauded, is also practised in the Eastern Penitentiary of Pennsylvania with equally good effect; and in the second place, we venture to assert that what has been practised in the Irish convict prisons, and in them alone, with such signal benefits to the outgoing prisoner, and through him to society, is better adapted to and more practicable in the Eastern Penitentiary of Pennsylvania, than it is in the prisons of Ireland. Of course we do not allude to the association of convicts in the second and third stages in Ireland, nor the "ticket-of-leave," which is the fourth stage, as adapted to our prisons.

The use of marks, which is the foundation of the Irish system, and the opportunity of shortening the period of imprisonment by good conduct, are even more suited to the Pennsylvania than to the Irish system. Indeed, an Act of Assembly of this State directed the Keepers of the Penitentiaries and Prisons to keep a record of the conduct of convicts, and to permit a certain degree of improvement to work a shortening of the sentence pronounced by the Court. The law was regarded as including the cases of those in prison at the time of its

passage, and, from that and some other causes, was considered by the Court as unconstitutional, whether that was the exact point made or not, is of little consequence.

There is no doubt that the Legislature of the State can pass a law authorizing sentences so to run as to be shortened by the good conduct of the convict; and if the law to which we allude be not sufficient, in consequence of the *ex post facto* character of some of its provisions, or from other causes, a bill could be easily framed that would meet the case. And with that in operation, one great point, perhaps the most important point of the Irish system, (*regarded as separately from its execution,*) would be attained.

The great objection to the "Irish Convict System" is the association of the convicts, an association which is permitted where there are with them no restraints of authority, and a word or a sign of an old offender might awaken in the heart of the half-repentant felon a love of the crime for which he is being punished, and a resolution to use all means to complete the work of mischief which he left unfinished when at liberty.

To us it seems a terribly retrograde step to go back to the associate system. All the reports that we read from Great Britain touching prison discipline, concur in the statement that *just in proportion to the entire separation of the convicts is the chance for improvement*. Every where we have the testimony of discharged prisoners, that their resolutions of good have been weakened by association, and their attempts at well-doing when discharged, have been frustrated by the intrusion of their old prison companions.

Prisoners we know are fond of association, (generally, not always,) and are anxious to show how strong they are in their new resolves. It is perhaps better to strengthen their newly-formed resolutions, than to expose them to a too early trial, almost insuring the very evil against which the trial was intended to guard.

“Wouldst thou approve thy constancy, approve  
First thy obedience.”

It is said that the “stages” of imprisonment in Ireland serve to accustom the prisoner to liberty. Why, he knows well enough what liberty is; he has enjoyed it even to licentiousness. He knows what the world and what society are. What he needs is separation from the world and from the kind of society in which he mingled, and in which he earned a place in the prison. He has seen enough of the very men with whom in this progressive stage he is to be permitted to associate. What he needs is the companionship of the good, not to be preached to always, but to *feel* that what is said and done is correct, and may be imitated, because it is said or done by the good. Let his moral strength be acquired in a pure atmosphere, and amid sights and persons that are unassociated with past evil. Let him feel that he is by virtue, working out his early discharge from prison, and by separate confinement, assuring to himself in liberty, a certainty of not having his crime proclaimed, and its punishment made a hindrance to future good.

A strong tendency to adopt or approve some substitute for the system of separate confinement is found in

the minds of many excellent persons, earnest seekers for the best system, and devoted advocates of what they think right. And this great error arises from a misapprehension of what constitutes the separate system. They confound the *separate* with the *solitary* system, and dwell upon cruelties and bad consequences of secluding a human being from all association with his fellow-man, and shutting him out from the view of the “human face divine.”

The convict, in *separate* confinement, is only *separated* from all knowledge of the character and conduct of his fellow-prisoners, and all intercourse of any kind, with them. But that is not *solitude*. Frequently each day he sees the keepers. Every day he may converse with the stated religious and moral instructor; and he may have constant intercourse, almost continued companionship with some of those who voluntarily visit his cell to promote his good. Of whatever crime he may have been convicted, the law of this State opens his prison-door to any and to every member of the Acting Committee of the Prison Discipline Society; and his friends and relations of good character have frequent opportunities to visit him. Surely that is not *solitary*.

The convict in the Eastern Penitentiary of Pennsylvania may have just as much good society, just as many moral instructors, just as much moral instruction as the convicts in the Irish Penitentiaries. The convict here may prefer the out-door liberty of the Irish system, but it is respectfully submitted (as the lawyers say) that it is the punishment and the reformation of the convict that

are the object of imprisonment, and not the gratification of his wishes.

Every advantage to a convict attainable in the Irish system is as easily obtained in the Pennsylvania system, with many, very many securities for the future well-doing of the convict. The only exception we notice to this is the fixed plan, in Ireland, of assuring to the convict the means and opportunity of shortening his imprisonment. That, in a small degree, exists in our laws, but further legislation is required to make it effective and sufficient.

What Pennsylvania needs is, *First*, A plan for making all the prisons of the State from the Penitentiaries to the County Prisons, directly responsible and accountable to the Government of the State, with such a connection in system and administration, as will give to each the benefit of any improvement which may, by better administration, be effected in others.

The system of separate confinement has been tried, and is approved ; and many of the county prisons are now constructed for the separate confinement of their prisoners. The county prison in this city only needs additional cells to restore its administration to the Pennsylvania system.

*Second.* We need an extension of the separate system, and the watchfulness and devotion which shall ensure a full and perfect accord in all the prisons of the State ; and we need such an administration of each Penitentiary and prison, as that which commends to so large approval the Irish Convict System.

It is vain to talk of systems without including careful

administration. It is useless to compare one system with another, without regarding the effect of administration on the character of each system; and in comparing one system with another, it is of vast importance to know all the circumstances by which the administration of each is effected.

In comparing the Irish system with any system in the United States we must, to satisfy ourselves or others, understand the difference between the two countries in the means of obtaining a living. We must understand the vast difference in the respect for, or fear of, authority, and that in the same person living in Ireland or emigrating to the United States.

If we would comprehend the difference between ticket-of-leave men in Ireland, and the same class of ex-felons in this country, we must appreciate the ease with which the "ticket-of-leave men" get away from the surveillance of Ireland to the liberty of the United States, or, rather, we should say, the facility with which Ireland gets rid of her ticket-of-leave men by emigration, and the improbability that our own rogues, or our imported "ticket-of-leave" men will quit the country for any field of action, and with the expectation of finding any other, so ample, so productive, so safe.

In presenting a statement of what is called the Irish system, and comparing it with the Pennsylvania system, we have felt the want of "statistics." We sought for them in vain. Figures tell well in an argument where *numbers* are concerned, for it is presumable that those who would form an opinion upon the comparative merits

of the two systems, desire to use their judgment upon the established claims of each *party* to preference, founded upon its success in the object for which it is established. Which system produces the most good, which the nearest fulfills the great object of penal laws, by making the transgressor feel that his way is hard; and, most of all, which the nearest accomplishes the great work of sanctified humanity, by improving the morals and mending the condition of the prisoners. Figures might help us here; but we do not find any tabular statement of the final results of the instruction and improvement of the Irish system. They must exist, of course.

We find an extract from the Ninth Annual Report of the Irish Penitentiary, conducted on the Irish Convict System, which says that, from the beginning of the year 1856 to the close of the year 1862, the re-commitments for those discharged were 12.44 per cent. The Eastern Penitentiary of this State gives the number of convicts re-committed under the Pennsylvania System from October 25, 1859 to October 25, 1867, a period of thirty-eight years, as amounting to only 10.13 per cent., on persons discharged and liable to re-commitment. This result in the Eastern Penitentiary will be found set forth at large in a previous paper in this Journal; and we think it worth while to invite attention to the difference in the percentage of re-commitment, and to show that it is in effect much greater, much more in favor of the Pennsylvania system than appears from the naked figures.

The Irish system is new, and many even of its first prisoners could scarcely have accomplished their full

term, certainly, scarcely had time to get into "difficulty," if their improvement had anything like permanency in its character.

The Pennsylvania system has been in operation thirty-eight years, and a large number of its *graduates* have had time to regain their lost position in criminal society, and to be restored to their *alma mater*, the Penitentiary.

*Third.* Especially when it is recollected that the Irish Penitentiaries receive none for a less term than five years, and a large proportion for ten and fifteen years. While the Eastern Penitentiary is the recipient of convicts sentenced to one year, two years, three years, five years, and upwards, thus the prisoners of short terms supplying a large number to be recommitted, if the administration of the system should not improve their morals.

*Fourth.* Those most likely to be recommitted in Ireland, where the ticket-of leave prevails, rarely remain in their own country after they have, by the use of their "ticket," by any means gained sufficient to pay their way across the Atlantic or the Pacific, while those discharged from our Penitentiaries, if not thoroughly improved, must pursue their bad calling where they are likely to find their way back to the Penitentiary, and thus swell the percentage of recommitments.

There has of late been a great influx into our prisons of English and Irish, men and women, convicted of "shoplifting," picking pockets, and kindred crimes. As these persons of course profess their innocence, it is difficult to ascertain what were their antecedents at home, but there is little doubt that they are graduates of peni-

tentiaries there, and holders of tickets-of-leave. The freedom with which one or two of the female prisoners of that class spoke to some of the Inspectors in this city proved that they were ticket-of-leave women, and their case was so similar in all respects to some other convicts, that there could be no doubt that they were all graduates of one school, if not all classmates of the same institution.

If the class of “ticket-of-leave” immigrants mentioned above, that crowd the cells of our prisons, do not swell the percentage of re-commitments at the Penitentiary, increasing the count, their leaving Europe to ply their calling here certainly diminishes the percentage of re-commitments in Ireland or Great Britain, whence they came.

The leading feature, the grand point in the Irish convict system, is what is called the “mark system, *devised*, it is said, by Captain Alexander Machowochie. This mark system consists in keeping an exact account of the conduct of the convict, and allowing him a certain number of marks, “good for every day’s good conduct,” and placing against his name “bad marks” for violation of rules; and these marks are also used with reference to the labor of the prisoner, and the time of his imprisonment is shortened definitely by the amount of the good marks, or he is detained to or towards the full term of his sentence in proportion as his *bad* marks balance the whole or part of the *good*. This general principle is exactly that which pervades certain schools, academies and colleges in this country. In this city the merits of pupils are proclaimed by the number and

character of their “marks,” and in the public schools these constitute the claim, or the evidences of the claim for candidateship to the High School. Undoubtedly this mode of noting the conduct and labor of prisoners—that is, the adaptation of the mark system to Penitentiaries—is good, and is productive of good; it holds up hope, and it satisfies not merely the officers of the prison, but the prisoner himself, that he is capable of good.

We ought to add, also, that on examining the report of the large prisons and penitentiaries of Scotland, we find mention made of the use of the mark system as applied to labor, but not to conduct. Yet it appears that bad conduct diminishes the value of good marks for labor. In the large prisons of both England and Scotland there seems to be only a partial adoption of the great principle of the Irish Convict System, and hence the administration of that system in these prisons is defective, and the good effects diminished. It is true also that in England and Scotland most of the prisons are remains of buildings erected for some other uses, or on the old (want of) plan; and here the adaptation of the house to the new purpose is very incomplete, and we may as well add that almost every system in Great Britain, however beneficial its object, and how new may be the views of the author, is, in its application, made to retain a portion of the antecedents of the place, and thus to perpetuate so much error; and, in our opinion, the Irish Convict System is obnoxious to the charge of being only a partial improvement, and what is considered as its success in diminishing the number of convictions, is less due to its power to improve the convict, and return him to society as a

useful member, than to the peculiar circumstances of Ireland and other countries, which induce the ticket-of-leave man that passed through all the stages of the Irish Convict System to leave that *home* where a repetition of felony might subject him to additional discipline, to find another home, where there are fewer chances of detection, and where punishment consequent upon conviction would be modified by the consideration of the first offence.

We approve of much of the Irish Convict System of discipline. But we say again, that the advantages thereof would be doubled to the prisoner if the "marks" and "gradations" were used in an institution where each prisoner could be kept separate from every other convict, and made to modify his punishment by the character of his conduct and the result of his labor. We see a great difficulty in carrying out this plan with perfect impartiality, but it can be done; if it is done in Dublin, it can be done in Philadelphia. But in the name of humanity, in the name of public security, in the name of religion, pure and undefiled, let not the tenants of our penitentiary cells be sent forth, even though credited with thousands of marks for good conduct and good work, to meet the allurements of prison companions, or to live in the hourly apprehension of detection and exposure. The pride of the man in his newly-established credit may be to some of less consideration, inasmuch as he was a felon, but the pride of the man, with the pride, character and prospects of his children, appeals to the best feelings of the human heart. Let the door of the Penitentiary, as it closes upon the convicted felon, shut

him close from all association with bad companions. Let the door of the Penitentiary, as it opens to send forth the repentant and reformed man, permit no knowledge of repented errors to follow him—no fellow-prisoner to haunt his steps and destroy his plans of good.

Give us the Pennsylvania system, and all the aids of philanthropy and religion with which the Irish system is supplied, and it appears to us that nothing need be added but those future improvements which success shall from time to time suggest.

 And may a good Providence deliver us from the evil of attempting to coin money out of the crimes of our fellow beings, by sacrificing the moral and religious interests of our prisoners to the desire of making a prison a source of pecuniary profit. In this matter at least we "cannot serve God and Mammon."

---

## FOREIGN REPORTS.

We have received the Prison Reports from Great Britain. They contain the usual details, and show that whatever is done has with it a system, and the reports are all so connected and so correspondent, that a single glance at the tables shows what has been done in every prison in England and Scotland.

England, perhaps more than any country, is wedded to the past. She considers many habits as privileges, and is cautious how she disturbs them. A great pressure is required to change any plan, and even the new

scheme may be ruined by the large amount of elements which love for the past brought over from the predecessor. In prison matters England seems much more inclined to try to make existing means do the work which new discoveries suggest, and adaptation rather than full change is the cause of the slow progress of prison improvement in Great Britain.

The Committees of Parliament report what the Governors and Inspectors of "Gaols" and Penitentiaries declare, viz., that just in proportion to the isolation of a prisoner from his fellow convicts are the chances and hopes of his improvement. Let us rather say that isolation is the means of improvement. The local authorities, induced by the cost in the changes of structure, and the deficiency in the buildings for variety in occupation for the inmates, adhere to most of their old system, and express confidence in some which lack the very ingredients upon which hope of success was proclaimed. The truth is, that people see and feel the cost of maintaining and punishing the violators of the laws, and they think that the remedy for all the evil is to keep down the cost, whatever may become of the culprit. The influence of reformation on society at large must of course be remote, and what is remote yields to the pressure of the present; and the consideration of how the convict may be punished at the least expense to society, takes the place of the idea of how he may be improved to the greatest moral good of society.

The expenses of the prison are diminished by the congregated labor of the convicts, and the future injury of society secured by the plans of future mischief which

the congregated system permits the prisoner to devise and promulgate.

Religious and moral instruction is provided for in the English and Scotch prisons, and clergymen and schoolmasters are employed and paid; but the love of preaching to congregations defeats the great objects of employing a preacher, and the schoolmaster is compelled to acknowledge that in his classes something is learned in spite of his caution, which will perpetuate his employment.

The admirable system of reporting to a particular State officer the condition of each prison in the kingdom, is in full operation, and immense good results therefrom.

#### FRANCE.

The Reports from France are interesting, as showing the good operation of the relation between all the penal houses of the Empire. There seems to be no new feature in the prison government of the country. The existing system is well administered, and the system of correspondence is almost perfect.

The influence of the Government of France upon all the departments insures perfect details, and hence an admirable administration. If the system of imprisonment was equal to that of administration, France would, of all countries, undoubtedly present the best national plan of dealing with public offenders.

We have marked for comment some papers prepared by M. L. Bonneville de Marsangy, from a periodical in Paris, but our comments upon the "Irish Convict Sys-

tem" will be found equally applicable to the plan of Mr. M., especially as he seems to have borrowed from Ireland a part of his scheme.

Mr. M., in the Essays, to which we allude, makes some mistakes in referring the Penitentiary system of Pennsylvania.

From M. Marsargy we have received a volume of about 235 pages, containing his views of the mode of dealing with bad boys. He recommends the establishment of colonies for lads under sixteen years of age. But it is evident that children removed from the care and watchfulness of their parents, must, when they leave the place of correction, whether it be colony or prison, require some helping hand, some watchful eye, and hence Mr. M. encourages the formation of societies to aid the discharged prisoner, or the lad who has served out his time in a colony. There was the great secret of success.

Mr. M. recommends "separate" or "cellular" confinement in the early part of a sentence. As he is speaking of the punishment of children, we shall not stop to discuss the matter with him, referring our readers to our remarks on the "Irish convict system" in that particular, but we cannot forbear to translate, for the benefit of our readers, Mr. Masargy's remarks upon the efficacy of separate confinement. He says:

"The cell alone, I repeat it, permits the prisoner, in silence and isolation, to examine his own heart, to listen to the voice of conscience, which the thousand disturbing causes abroad had stifled. Then, all alone, it permits good counsel and religious instruction to act

efficaciously upon the guilty soul, and to prepare therein a commencement of regeneration; finally, the solitary cell alone permits the repentant convict to yield to beneficial influences, safe from all false shame and revolting pride."

We do not know that we could have said anything more or better in favor of the Penitentiary System of Pennsylvania. It must be mentioned, therefore, that Mr. M. means as soon as separate dealing with the convict has begun to produce its good results, to cease the lesson, and open the cell, and put the pupil into the congregate imprisonment. We mean no disrespect to the able, the amiable, and the learned philanthropist whose words we have translated when we say, that the provision for "association" as soon as the benefit of "isolation" begins to appear, seems to bear with it something of a scheme to insure to society all the evil of bad association, and to perpetuate the work of prison discipline. Were it the object of imprisonment to perpetuate imprisonment, we do not see how the end could be better attained. Such a plan seems to realize the old scandal upon tinkers, that they so did their work as to ensure an early call for repairs. And yet Mr. Marsangy is a sound, hearty philanthropist, zealous and constant in good efforts, and would not for the world, or from pride of opinion, advocate that which he did not believe to be right.

## OBITUARY.

### WILLIAM SHIPPEN, M. D.

The Society has, in its annual publication, expressed its high appreciation of the character and services of its Vice-President. Mr. Shippen wished, and uttered a hope that he might be permitted to return once more to that philanthropic labor which occupied so much of his time at the County Prison, and which produced such marked and permanent benefits to some of the unhappy occupants of the criminal cells. Those who knew Dr. Shippen knew how fully he had earned the commendation which it was thought justice to the cause of humanity to bestow upon his labors; and if they indulged in the hopes which some of his co-laborers expressed, that he would be restored to active duties, they comprehended how readily the desire of that end should create a hope of its fulfilment. The fruition of that hope was not permitted; on the 5th day of June Dr. Shippen died at his residence in Walnut street, aged 75 years—a long life to those who look ahead, short to those who look back. In his case, that time had been chiefly dedicated to works of philanthropy; and thus had been usefully employed, and whether few or many years had been allotted to Dr. Shippen, his use of the time vouchsafed, gave importance to his career, and stamped his character as one of usefulness.

“That life is long that answers life’s great end.”

Dr. Shippen had distinguished himself in various enter-

prises of philanthropy, and his services were marked by a zeal and personal devotion which showed that he had weighed well the object, and comprehended the means of his association, and was bringing to the work a knowledge that made his zeal useful, and an earnest persistence in his labor that insured the attainment of a part, at least, of the objects at which he and his colleagues aimed. He seemed to comprehend the value of the Scriptural direction "Whatsoever thy hand findeth to do, do with thy might." Various associations for general and some for special good, received his valuable aid; and general instruction by public schools was assisted by his efforts.

But this Society has a specialty of labor, to which it refers, and to which it welcomes all who will volunteer assistance. It exists for a particular purpose, viz., "to alleviate the miseries of public prisons;" and to that great and good end Dr. Shippen gave cordial, generous, self-sacrificing assistance. The plans of this Society for the attainment of its object were assisted by his experience, and their execution aided by his efforts. He loved to mingle with the members of the Society in their monthly and quarterly meetings, and encourage them to renewed exertion by a truthful exhibition of the wants of the prisoners, and the success of efforts in behalf of the convict. Dr. Shippen knew the value of assistance to the unfortunate, and he knew the time and amount, whether in pecuniary form or by careful monition. He had always enjoyed a competency of the world's goods, and hence knew their exact value; and was not exposed to the danger of withholding charity

from a fondness of money, nor of lavishing means from any unfortunate ostentation.

There are more men who know how to acquire wealth than there are who know how to use it. Experience in these things teaches; and the more experience the greater the judgment in the charity, which is as often injured by lavish liberality as by close-handed withholdings. Well directed judgment, in these cases, is worth more than sudden sympathy; and, perhaps, it may be added also, that in the uses of that true philanthropy which meliorates the mental condition of the prisoner, a sound judgment often suggests a special devotion to an individual case rather than a diffusive use of time and advice upon a multitude.

Dr. Shippen had a word of monition and encouragement for all prisoners, but he had a happy art of discovering in the young offender the remains of goodness, and to these he sometimes applied himself with a zeal that ensured success. The smoking flax was not quenched; the little of home affection discernable was cherished and cultivated, and the possibility of surmounting the difficulties which detected fraud throws in the way of the would-be penitent, was dwelt on till the young inmate of the convict cell seemed to rise above the impediments of his condition, and cherish a *hope* that virtue would fully restore him to the path of life from which he had wandered; and in more than one instance that hope has been fully realized.

Dr. Shippen's character, his talents and education, placed him in prominent positions among those who associated for benevolent purposes, and the qualities that

placed him there reflected honor on the places, and he was justly reckoned among those who promote public good by the devotion of valuable time, mind, talents and liberal education to the works of good, in channels where the highest talents and the best of education find useful employment.

But it was in the cell of the convict that Dr. Shippen earned the affectionate respect of those whom similar pursuits made followers, at long intervals, of his most useful example. There, with the world shut out, he persuaded the erring to comprehend that their errors had made them prisoners; there he made them understand, that however those errors might injure them with the many, there were those who regarded them as brothers—brothers erring, brothers justly suffering—but still brothers, enjoying the good wishes of a few, and placed in a situation where their improvement would be encouraged and noticed by those who had the will and the means to aid them to put in practice good resolutions, to sustain themselves abroad while they were earning that confidence which is so necessary to success.

Great as have been the benefits resulting from those twenty years persistent visitations of Dr. Shippen to the cells of the convicts, and patent as are some of the instances, it is, perhaps, not in this world that the amount of his success will be known. Many, indeed, have gone forth and triumphed over difficulties, and regained position. These are known here, but it is probable that still more have profited by Dr. Shippen's ministrations, and yet have failed to achieve wealth or position, and have sunk down, amid their failing hopes in

this life, and rested content, and died happy, in the sanctified assurance of that "life which is to come," and to a knowledge of which, their prison teacher had raised their aspirations.

The well maintained classical education of Dr. Shippen made him an interesting associate with those whose minds had received similar advantages from study. The freshness of his recollections of the past made him ever an instructive companion of those who delight in the pleasant exhibition of rich experience. The tenacity with which he held the dogmas of the religion which he professed, showed his confidence in what he regarded as truth, while the willingness with which he bore testimony to good developments and extended charities in others, showed how beneficially operative in him was that Christian courtesy which chastens self esteem and leads to a respect for goodness wherever found. He was fond of judging the tree by its fruits, and hence, when he discovered what he considered good qualities connected with the religious profession of an associate, he was willing to believe that those good qualities and benevolent works were the *fruits* of that profession, as he was earnest in referring to his own faith the credit of what the world admitted were good acts.

"The Society for Alleviating the Miseries of Public Prisons" comprehended all the qualities which made Dr. Shippen so useful to the condemned prisoners, and by the exercise of which he reflected so much honor on the Association. In conferring on such a member the office of Vice President, the Society felt that it was appropriating to its benefit the distinction which a long

life of practical philanthropy had secured, and attracting to itself the credit which its Vice President was acquiring by his faithful, unfailing services in the cells of the convicts.

The death of the Vice-President Shippen was, by the President, J. J. Barclay, Esq., formally announced at a meeting of the Acting Committee of the Society on the 20th of June, 1867, and the following action was had :

At a stated meeting of the "Acting Committee of The Philadelphia Society for Alleviating the Miseries of Public Prisons," held Sixth Month (June) 20th, 1867, the President announced, in feeling terms, the death of our late Vice-President, Dr. William Shippen ; whereupon the following preamble and resolutions were unanimously adopted :

Whereas, the Supreme Disposer of all things has, in His wise providence, removed from our midst our valued associate, William Shippen, M. D., a Vice President of the Philadelphia Society for Alleviating the Miseries of Public Prisons ; and whereas, the Members of the Acting Committee of the Society, justly appreciating the worth of their departed colleague, and desiring to express their sense of his merit and services, and to have the same recorded, do therefore

*Resolve*, That in the death of William Shippen, M. D., the members of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," have lost an efficient officer, and a beloved friend, who for many years zealously exerted himself to promote a judicious and enlightened system of Prison Discipline, and the reformation and welfare of the prisoner, and the community a virtuous and excellent citizen.

*Resolved*, That the members of the Society unfeignedly condole with the family of the deceased in their affliction.

*Resolved*, That a committee of three be appointed to communicate the above resolutions to the family of Dr. Shippen.

JOHN J. LYTLE, *Secretary*.

And at a quarterly meeting of the Society on the 25th of July, the proceedings of the Acting Committee, in respect to the memory of Dr. Shippen, were unanimously approved.

For nearly two years Dr. Shippen had, by a painful accident, been deprived of the pleasure of visiting the prison cell; but his beautiful example influenced others, and it was gratifying to hear the recipients of his instruction express their gratitude for his faithful services—faithful in monition as in encouragement; for all that time the Society and the Committee were deprived of the approving presence and encouraging language of the Vice-President. And now that he has gone, it is to be claimed as the credit of the Society that it appreciated the excellence of its working member, and hereby does honor to his memory as one who illustrated by word and example the principles of humanity by which he and his fellow laborers were “united in word and work.”

---

### FREDERICK A. PACKARD.

In the last year died FREDERICK A. PACKARD, Esq., long and advantageously known in Philadelphia for his labors in the cause of morality and humanity, and recollect ed with grateful respect by many of the senior members of this Society as one who loved the cause in which we are engaged, and contributed the use of his talents and education to the promotion of the plans for alleviat-

ing the miseries of prisons; and he distinguished himself especially by his ability in conducting this Journal. He had withdrawn himself of late from active exertions in our behalf, but not from sympathy with our efforts, and wishes for our success.

Mr. Packard was, for a long time before his death, a great sufferer, so that, though humbly submissive to the will of Heaven in all the dispensations of pain, yet that pain taught him to welcome death, but to welcome it as part of that providence which led him to joy through pain, and to peace through antagonism. For such a man the survivors mourn only their own and society's loss; death to him must have been gain.

—o—

The obituary portion of our journal is not likely soon to be left a blank. Time is making its mark on many of our members; and infirmities, though touching not the energies of the mind, still diminish the activity of the body, and will soon make it the duty of the survivors to fill their places in the Society. The very energies put forth hasten the cessation of those energies, and the most active fall in their activity. But none feel that the work of gratitude is accomplished when those who have labored with us cease, unnoticed, from their labor. It is an evil when the righteous die and no man layeth it to heart.

And he who, mindful here of the honored dead, speaks their praises, and seeks to perpetuate their remembrance where that remembrance will be an incentive to self-sacrificing charities, he feels that the memory of his pre-

sence must soon be all that this Society can claim, and he desires that if his name be recalled among his surviving fellow-laborers, it may be as one who prefers that recollection to all the fame that misspent wealth or misdirected talents have ever achieved.

Meantime the work is before us and the duty obvious, unmistakable. The loss of a companion in labor should only stimulate to exertions that his loss may not be felt by the cause. And the consciousness that our death is at hand should only stimulate to new exertions, that the part assigned to us may not lack our consummating efforts, or that we perish without the true glory of having in one thing at least accomplished a good object; and let us leave for those who shall record our death, if not the fame of a Howard or a Fry, at least the recognition of the fact, that we were of those who loved our brethren of mankind.

All which is respectfully submitted,

JAMES J. BARCLAY, *President.*

Attest, JOHN J. LYTHE,  
EDWARD TOWNSEND, } *Secretaries.*

*January, 1868.*

C O R R E S P O N D I N G   M E M B E R S  
O F   T H E  
P R I S O N   S O C I E T Y .

---

Atlee, John L., M. D ,	-	-	-	-	Lancaster.
Allison, William J.,	.	-	-	-	Burlington, N. J.
Brodhead, William,	-	-	-	-	Milton.
Brown, Rapelas,	-	-	-	-	Warren.
Bent, Rev. Sylvester,	-	-	-	-	Beaver.
Benedict, A. W.,	-	-	-	-	Huntingdon.
Baker, John A.,	-	-	-	-	Bloomfield.
Burnett, R. W.,	-	-	-	-	Cincinnati, Ohio.
Bulkley, W. H.,	-	-	-	-	Louisville, Ky.
Buckley, Rev. M.,	-	-	-	-	Detroit, Michigan.
Conyngham, John M.,	-	-	-	-	Wilkesbarre.
Carpenter, Thomas,	-	-	-	-	New Jersey.
Curtin, Andrew G.,	-	-	-	-	Harrisburg.
Clark, Samuel D.,	-	-	-	-	New Castle, Pa.
Calvin, Samuel,	-	-	-	-	Hollidaysburg.
Curwin, John, M. D.,	-	-	-	-	Harrisburg.
Dix, Miss D. L.,	-	-	-	-	
Davis, William,	-	-	-	-	Stroudsburg.
Donalson, John F.,	-	-	-	-	Montrose.
Derrickson, David,	-	-	-	-	Meadville.
Douglass, John, D. D.,	-	-	-	-	Pittsburgh.
Dennis, Jonathan,	-	-	-	-	Washington, D. C.
Echroid, Henry,	-	-	-	-	Muncy, Pa.

Eaton, S. M.,	-	-	-	-	-	Franklin.
Elder, Cyrus W.,	-	-	-	-	-	Lewistown.
Frew, William,	-	-	-	-	-	Pittsburgh.
Findlay, John P.,	-	-	-	-	-	Mercer Co.
Foster, Henry D.,	-	-	-	-	-	Greensburg.
Fenton, John,	-	-	-	-	-	Johnstown.
Graham, Rev. S. Y.,	-	-	-	-	-	Somerset, Pa.
Gibson, M.,	-	-	-	-	-	Northumberland.
Green, S. Miles,	-	-	-	-	-	Huntingdon.
Hall, John, D. D.,	-	-	-	-	-	Trenton, N. J.
Howe, Dr. Samuel G.,	-	-	-	-	-	Boston.
Hayes, A. L.,	-	-	-	-	-	Lancaster.
Holliday, H. S.,	-	-	-	-	-	Brookville.
Howe, John W.,	-	-	-	-	-	Meadville.
Harrington, George D.,	-	-	-	-	-	Columbus, Ohio.
Harper, Colonel J. P.,	-	-	-	-	-	Indianapolis, Ind.
Ives, Timothy,	-	-	-	-	-	Coudersport.
Jones, Morris C.,	-	-	-	-	-	Bethlehem, Pa.
Jones, J. Pringle.	-	-	-	-	-	Reading.
Jorney, John,	-	-	-	-	-	Honesdale.
Jessup, William H.,	-	-	-	-	-	Montrose.
Johnson, Samuel P.,	-	-	-	-	-	Warren.
Janney, Richard M.	-	-	-	-	-	Baltimore, Md.
Kughns, Joseph,	-	-	-	-	-	Greensburg.
Lucas, Charles,	-	-	-	-	-	Paris.
Lesley, James,	-	-	-	-	-	Philadelphia.
Leiber, Francis D. C. L.,	-	-	-	-	-	New York.
Lott, Charles,	-	-	-	-	-	Lottsville, Pa.
Long, Henry G.,	-	-	-	-	-	Lancaster.
Lee, R. S.,	-	-	-	-	-	Uniontown.

Linn, Samuel,	-	-	-	-	-	Bellefonte.
Little, Robert,	-	-	-	-	-	Tunkhannoch.
Lawson, William C.,	-	-	-	-	-	Milton.
Lathrope, Samuel G., D. D.,	-	-	-	-	-	Joliet, Illinois,
McClure, Alexander A.,	-	-	-	-	-	Chambersburg.
Montgomery, Rev. James,	-	-	-	-	-	Clarion Co.
McEnnally, J. B.,	-	-	-	-	-	Clearfield.
McMurtrie, R. A.,	-	-	-	-	-	Hollidaysburg.
Mann, John S.,	-	-	-	-	-	Coudersport.
Mercer, Ulysses,	-	-	-	-	-	Towanda.
Marsangy, Bonneville de	-	-	-	-	-	Paris.
Osterhout, Peter M.	-	-	-	7	-	Tunkhannoch.
Olmstead, A. G.,	-	-	-	-	-	Coudersport.
Paxton, Joseph,	-	-	-	-	-	Catawissa.
Pierson, John J.,	-	-	-	-	-	Harrisburg.
Perkins, Abraham R.,	-	-	-	-	-	Chester.
Penniman, Francis,	-	-	-	-	-	Honesdale.
Pomeroy, Thomas,	-	-	-	-	-	New Castle, Pa.
Perkins, Cyrus L.,	-	-	-	-	-	Johnstown.
Patterson, John S.,	-	-	-	-	-	Mifflintown.
Russell, Zenos H.,	-	-	-	-	-	Honesdale.
Rutton, James S.,	-	-	-	-	-	Beaver.
Roty, Edmund S.,	-	-	-	-	-	Mifflintown.
Riddle, Rev. M.,	-	-	-	-	-	Bloomfield.
Russell, Benjamin S.,	-	-	-	-	-	Towanda.
Rittenhouse, A., D. D.,	-	-	-	-	-	Wilmington, Del.
Sumner, Charles S.,	-	-	-	-	-	Boston.
Smeal, Robert,	-	-	-	-	-	Glasgow.
Sherman, Alfred H.,	-	-	-	-	-	Milford.
Spencer, S. S.,	-	-	-	-	-	Erie.
Sutton, John,	-	-	-	-	-	Indiana.
Stewart, William M.,	-	-	-	-	-	"

<b>Stewart, S. Sewell,</b>	-	-	-	-	<b>Huntingdon.</b>
<b>Skinner, Rev. H. C.,</b>	-	-	-	-	<b>Michigan City, Ind.</b>
<b>Stute, Samuel,</b>	-	-	-	-	<b>Wheeling, W. Va.</b>
<b>Sullivan, John W.,</b>	--	-	-	-	<b>Jefferson, Indiana.</b>
<b>Tuttle, Asa C.,</b>	-	-	-	-	<b>Cleveland, Ohio.</b>
<b>Varrentrapp, George, M. D.,-</b>	-	-	-	-	<b>Frankfort on the Maine.</b>
<b>Willetts, George,</b>	-	-	-	-	<b>Catawissa.</b>
<b>Wines, Rev. E. C., D. D.,</b>	-	-	-	-	<b>New York.</b>
<b>Woodward, Warren J.,</b>	-	-	-	-	<b>Reading.</b>
<b>Walton, Sydenham, M. D.,</b>	-	-	-	-	<b>Stroudsburg.</b>
<b>White, R. G.,</b>	-	-	-	-	<b>Erie.</b>
<b>Walker, John H.,</b>	-	-	-	-	<b>"</b>
<b>Wingate, J. D., M. D.,</b>	-	-	-	-	<b>Bellefonte,</b>
<b>Woods, David W.,</b>	-	-	-	-	<b>Lewistown.</b>
<b>Wier, John A.,</b>	-	-	-	-	<b>Harrisburg.</b>
<b>Young, Rev. Royal,</b>	-	-	-	-	<b>Butler.</b>





NEW SERIES.

NO. VIII.

THE JOURNAL  
OF  
PRISON DISCIPLINE  
AND  
PHILANTHROPY.

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

WITH APPENDIX CONTAINING PROCEEDINGS OF ANNIVERSARY  
MEETING, HELD JANUARY 8, 1869.

JANUARY, 1869.

---

PHILADELPHIA:

J. B. CHANDLER, Pk., 306 & 308 CHESTNUT STREET [GIRARD BUILDING.]

1869.



**ROOMS OF THE**  
**PHILADELPHIA SOCIETY**  
FOR  
**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January) 21st, 1869, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS, and PHILIP P. RANDOLPH, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Stated Meeting of the Society, held First Month 28th, 1869, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretary.*

*At a Special Meeting of the Acting Committee, held Second Month 3d, 1869, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society. The Committee was also authorized to distribute the Journal.*

**JOHN J. LYITLE,**

**SECRETARY.**

## TABLE OF CONTENTS, WITH AN ANALYSIS.

---

### **REPORT.**

Notice of proceedings of Acting Committee, . . . . .	9
Division of the labor of the Society, . . . . .	9
Results of efforts to improve prison discipline, . . . . .	10
Commission appointed by the Governor, . . . . .	10
Commission by the State of New Jersey, . . . . .	11
Changes in the system of penitentiary discipline in New Jersey, . . . . .	11
The teaching of experience with regard to systems, . . . . .	12
Alleviating the miseries of prisoners, . . . . .	13

### **EASTERN PENITENTIARY.**

Labor of the Committee, . . . . .	14
Character of the discharged convicts, . . . . .	14
Diminution of the number of prisoners received, . . . . .	14
Various relations of the convict, . . . . .	14
Natural relations, ages, social relations, . . . . .	15
Habits, industrial relations, social relations, . . . . .	16
Army prisoners, . . . . .	16

### **COUNTY PRISON.**

Crowded state of male department, . . . . .	17
Successful efforts for physical and moral alleviation . . . . .	17
Faithful labor of visitors, . . . . .	17

**FEMALE DEPARTMENT.**

The addition to the building completed, . . . . .	17
Diminution of the number of convicts, . . . . .	18
Result of separate confinement, . . . . .	18
Favorable results of new arrangement, . . . . .	18
Permanent improvement, . . . . .	19
Instruction continued, . . . . .	19
Benefits of knowledge acquired in prison, . . . . .	20
Continued benefit of separate confinement, . . . . .	21
Health of the prison, . . . . .	21
Means of preserving health in prison, . . . . .	22
Advantage of the peculiar structure, . . . . .	23
Advantage of female management, . . . . .	23

**AMELIORATING THE CONDITION OF PRISONERS.**

Importance of effort to aid the discharged convict, . . . . .	24
Need of additional organized efforts, . . . . .	24
Great value of existing societies in this city, . . . . .	24
Two instances to illustrate the importance of following with aid the discharged convict, . . . . .	25
Instances could be multiplied, . . . . .	27

**THE AGENT.**

Importance of the Agent's services, . . . . .	28
Character of those that need his services, . . . . .	29
Encouraging and consoling effect of his labors, . . . . .	30

**PRISON DISCIPLINE AND ITS ENDS.**

New and extended interest in the subject, . . . . .	31
Effects of different systems, . . . . .	32
Review of the Irish system, . . . . .	32
Bad effect of the "ticket-of-leave," . . . . .	33
Tends to send the discharged convicts from Europe to the United States, . . . . .	34

Instances of the avowal and attempt to do that wrong, . . . . .	34
Prompt action of the New York Prison Society, . . . . .	35
Evil effects of such a course, . . . . .	36
How "ticket-of-leave" convicts are enabled to reach this country, . . . . .	37
European writers praise the "ticket-of-leave," . . . . .	37
Change in the criminal laws required, . . . . .	38
The new prison systems of Ireland and France include separate confinement, . . . . .	38
Distinction between separate and solitary confinement, . . . . .	39
Solitary confinement unknown in the Pennsylvania system, . . . . .	40
All hopes of improvement must rest on separate confinement . . . . .	40

### **COMPARISON.**

The Irish System good as an improvement upon the former system in that country, . . . . .	41
Whatever is valuable in that system may, with advantage to itself, be engrafted on the Pennsylvania system, . . . . .	41
The separate system the only one for certain improvement, . . . . .	42
Necessity of officers of prisons understanding the character of the prisoner, . . . . .	42
Much depends on administration, . . . . .	43

### **DIFFICULTIES TO BE OVERCOME.**

Notice of Mr. Mahlon H. Dickinson's Reports, . . . . .	43
Advantages already resulting from investigation, . . . . .	44
Improvement in the prison, . . . . .	45
Necessity of Commissions of Prisons and Charities, . . . . .	45
They exist in Massachusetts and New York, . . . . .	46
Hopes of them in this State, . . . . .	47
Notice of Report of Pennsylvania Commission to examine Prisons, . . . . .	48

### **LETTER TO THE PITTSBURGH PRISON REFORM SOCIETY.**

Necessity for visiting prisoners, . . . . .	50
How they are to be visited, . . . . .	51

## CONTENTS.

vii

Delicate treatment required, . . . . .	53
Importance of the work and of qualification, . . . . .	55
Female visitors for female prisoners, . . . . .	56
Failure not to discourage, . . . . .	57
Hope necessary, . . . . .	59
Danger to the convict on leaving prison, . . . . .	59
Necessity of watching the discharged convict, . . . . .	60
Necessity of separate visitation, . . . . .	61
Separate instruction not opposed to social worship, . . . . .	61
Importance of the pardoning power, . . . . .	62
Visitors to avoid encouraging hope of pardon, . . . . .	63
Bad effect on the prisoner of a promise to aid in procuring a pardon, . . . . .	63
Sensitiveness of the convict, . . . . .	66
The particular crime for which the convict is suffering not to be particularly alluded to, . . . . .	67
Prisoner's general view of his own case, . . . . .	68
Instruction and kindness will enlighten him, . . . . .	70
In what spirit the work must be done, . . . . .	71

**FOREIGN REPORTS.**

## SCOTLAND.

Improvement in the Report, . . . . .	72
Proportion of the sexes in prison—Repeaters, . . . . .	73
Cost of the prison, . . . . .	74
Cost of each prisoner, . . . . .	74
Rules for government, . . . . .	75
Temperance among officers enforced, . . . . .	76

## IRELAND.

Number of prisons and officers, . . . . .	77
Repeaters, . . . . .	77
Cost, . . . . .	77

***PRIMARY JUSTICE.***

Growing interest in the administration of penal laws, . . . . .	78
Necessity for an independent magistracy, . . . . .	79
Fault more in the system than in the officer, . . . . .	80

***OBITUARY.***

ISAAC BARTON. . . . .	81
-----------------------	----

Proceedings of the Society relative to his death, . . . . .	82
---	----

***OTHER SOCIETIES AND EFFORTS.***

Formation and labors of a Prison Society in Wilmington, Delaware, . . . . .	85
--	----

***INDIVIDUAL WORK.***

Letter from Jeremiah Willetts, . . . . .	87
His labors in Richmond, Va., . . . . .	87

***MAHLON H. DICKINSON.***

His second inquiry into the prisons of the State, . . . . .	89
Improvement in the structure of several prisons, . . . . .	90

***DR. OURT.***

His voluntary visits to many prisons in the eastern counties of the State, . . . . .	91
---	----

***CONCLUSION OF THE REPORT.***

Duties to be performed, . . . . .	93
They will be undertaken and the work prosecuted, . . . .	94

***ANNIVERSARY OF SOCIETY.***

Remarks of the President, . . . . .	97
Remarks of Hon. J. R. Chandler, . . . . .	99
Remarks of Hon. James Pollock, . . . . .	112
Remarks of Hon. William Strong, . . . . .	118

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## REPORT.

---

WITH the close of another year is presented the duty of giving some account of what has been done in the twelve months past; what message that portion of time will take to the great Auditor of human acts.

If the value of labor is to be measured only by striking results, the Philadelphia Society for Alleviating the Miseries of Public Prisons might not consider the year 1868 as one entitled to special notice in the annals of its labors and their consequences. Nothing has marked its efforts to warrant general admiration, nor, beyond the single instance noticed in the obituary of Mr. Isaac Barton, has the Society been distinguished by any particular favor from those who use their means for the liberal support of the cause of philanthropy.

The plans of the Society include two divisions, which, while they are intimately connected in results, are so varied in their means and operations as to seem to bear little connection with each other.

One of these divisions includes the great system of penal discipline, with all the plans of government, and schemes of construction, the hygiene arrangements, &c. ; that is, the means of alleviating the miseries of *prisons*.

The other is the direct application of the means of moral instruction to the prisoners ; that is, the means of alleviating the miseries of *prisoners*.

On a review of the labors of the Society, as it regards the first branch of its duties, there seems to be less to report than there was in the two preceding years ; not that the object has been neglected, or the interest of the Society therein at all diminished, but that, as was intended by the Society, the interest in the improvement of prisons and prison discipline has been communicated to other bodies, and the Legislature of this State, and of some adjoining, have recognized the truth of this Society's teaching, viz., that the great work of correcting prison measures was theirs ; and that work has been commenced and prosecuted in a way that warrants the hope that, before long, there will be in Pennsylvania a fixed plan of directing the public charities and penal institutions which will do honor to the State, by uniting and directing the administration of all such institutions, so that they shall produce the greatest good to the always lessening number.

The Legislature of this State authorized a Commission to inquire into the administration of prisons, with a view, perhaps, to the establishment of discipline for a new (a third) Penitentiary, to be erected in the centre of the State. That Commission, composed as it is, would not confine its inquiries to any small question of discipline,

but would, as we learn it did, extend its investigations into all that concerned prison structure, penal laws, and prison discipline ; and we know they entered upon their work with evidence of determination to inquire, not for the purpose of strengthening preconceived opinions, but to find a theory, or admit one that should have with it the force of experience, or such convincing qualities in the detail of its plans as would justify its adoption without much experiment. That Commission will probably report to the Governor before this notice of its existence can reach our readers.

It is another strong proof of the new interest in prison discipline, that the State of New Jersey has also appointed a Commission to institute inquiries as to the operation of various plans of prison management in different States. And the composition of that Commission is such as shows the importance which the Governor of New Jersey attaches to the inquiries submitted to them ; and we can also bear testimony to the judicious zeal with which they prosecuted their labors within our observation.

New Jersey commenced her new Penitentiary administration upon the separate system, or, as it is sometimes called, the cellular plan ; but, whether from careless administration, or from some misconception of effects by the medical officers, the system was changed to the "congregate" plan. The charge against the "separate system" was that it tended towards insanity, "and some of the convicts went out of their minds;" the result of the congregate system has been the production and pro-

pagation of criminal plans, and many broke out of prison.

The evils of the congregate system were so great and so manifest that the question was, shall the old separate system be re-adopted, or shall there be made inquiries whether there are not some improvements by which even the "separate system" may be made productive of additional benefits. That Commission has not yet reported. We look with interest to the result of its inquiries, as we do to the report of the Pennsylvania Commission. We are certain that the separate system of confinement must be the basis of any plan for the improvement of the prisoner. What addition to existing regulations; what modifications, after a certain amount of separation, may be recommended, we, of course, do not anticipate. Perhaps there will be the idea, which we must deprecate, that which we think degrades the State while it defeats the purpose of imprisonment, we mean the plan of "making money" by the establishment and maintenance of penitentiaries, "self-supporting prisons," profitable penitentiaries. But we shall refer to that subject in another place.

It is gratifying to perceive that the spirit of inquiry is rife; we know it will be abundantly beneficial; some erroneous conclusions will be reached, but the same spirit that led them forward, beyond *some* errors on this side, and other errors on the other side, will, as soon as their theory shall have the illustration of practice, impel them forward to the correction of the remaining errors. We hope everything from the inquiries that are now in progress, and from the character of those

who are officially engaged in the investigation, we know that we have very little to fear from any slight error which may be made. When the interest is so important, and the intention so good, and ability so manifest, entire confidence may be reposed in the conclusion.

In the second branch of the duties which our Society assumes, viz.: that of alleviating the miseries of *prisoners*, by making their incarceration a means of improvement as well as a punishment, the Acting Committee of the Society have, by the disposal and labors of its members, and the efforts of its agents, been more immediately successful; that is, the fruits of its labors are more direct and obvious.

It is known to the readers of the Journal that the Acting Committee of the Society divides its labors in the second branch of its duties between the County Prison and the Penitentiary, assigning a portion of its members to duties in prescribed boundaries in each of these prisons, giving to each one such a part as he thinks he can perform.

---

## PENITENTIARY.

The sameness of the doings of the Committee is such, that any report that we could make would be but a repetition of last year's.

With the aid of our colleague, Dr. Ourt, the Secretary of the Penitentiary, we are enabled to append some statistics that may be interesting:

The Committee on Discharged Prisoners have attended to their peculiar duties to the best of their ability. Clothing has been furnished when required, and occasion sought to give the prisoner, before his discharge, good counsel and advice, to guide him on regaining his liberty and resuming his station in society.

During the current year, to October 1st, 209 prisoners were discharged, viz: 188 white males; 16 colored males; 3 white females; 2 colored females. Their method of discharge was as follows: by expiration of sentence, 155; pardoned, 34; died, 6; removed to County Prison, 13.

Of those discharged during the year, 36 came to prison illiterate, 4 of whom learned to read—6 to read and write—26 to read, write and cipher. Eleven (11) read imperfectly, all of whom improved in reading, and learned to write, and 10 to cipher. Nine (9) could read and write imperfectly, all of whom improved and learned to cipher.

Although not strictly within the purview of the Committee's duties, I would call your attention to the decrease in the number of prisoners received this year, in comparison with the same period of 1867. This decrease is shown in the number of minors received, number of illiterate, and also of army prisoners.

The following statistics of the number and percentage of convicts received last year, as compared with those received for a corresponding period of this year, is presented on account of many interesting facts it contains:

#### NATURAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
White Males, . . .	193	86.16	162	85.26
White Females, . . .	2	.89	3	1.58
Colored Males, . . .	29	12.95	25	13.16
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00

## AGES.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Under 21, . . . . .	47	20.98	34	17.09
21 to 30, . . . . .	112	50.02	94	49.48
30 to 40, . . . . .	45	20.07	34	17.90
40 to 50, . . . . .	9	4.02	18	9.47
50 to 70, . . . . .	11	4.91	10	5.26
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00
	<hr/>	<hr/>	<hr/>	<hr/>

## SOCIAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Unmarried, . . . . .	122	54.46	106	55.79
Married, . . . . .	89	39.73	70	36.84
Separated, . . . . .	6	2.68	3	1.58
Widowers, . . . . .	7	3.13	9	4.74
Widows, . . . . .			2	1.05
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00
	<hr/>	<hr/>	<hr/>	<hr/>

## HABITS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Abstainers, . . . . .	39	17.41	34	17.89
Moderate Drinkers, . .	111	49.55	99	52.11
Once Intemperate, . .	60	26.79	41	21.58
Intemperate, . . . . .	14	6.25	16	8.42
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00
	<hr/>	<hr/>	<hr/>	<hr/>

## INDUSTRIAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Unapprenticed, . . .	186	83.04	160	84.21
Apprenticed and left, .	20	8.93	17	8.95
Apprenticed and served out their time, . . .	18	8.03	13	6.84
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00
	<hr/>	<hr/>	<hr/>	<hr/>

## LOCAL RELATIONS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Americans, . . . . .	176	78.57	143	75.26
Foreigners, . . . . .	48	21.43	47	24.74
	<hr/>	<hr/>	<hr/>	<hr/>
	224	100.00	190	100.00
	<hr/>	<hr/>	<hr/>	<hr/>

## ARMY PRISONERS.

	1867.		1868.	
	NO.	PER CENT.	NO.	PER CENT.
Served in the Army, . .	135	60.27	104	54.73
	<hr/>	<hr/>	<hr/>	<hr/>

## COUNTY PRISON.

While the state of the cells, containing from two to four prisoners, in the Male Department of the County Prison continues, little can be hoped from the labors of the visitors in behalf of the morals of their respective clients. Something, of course, is attempted in that direction; more is done in the way of physical comfort; more in providing employment when the term of imprisonment is complete, and still more in aiding the prisoner to return to his family.

Nor is it just to say that because the instructions and advice of the visitor seem to have left but slight impression on the mind of the prisoner, therefore the labor has been in vain. It is impossible to say what may be the later effect of these lessons, recalled at some moment of difficulty; and it would be contrary to the experience in that particular, if much good were not ultimately derived from those lessons of kindness. Much more good, much more immediate good would certainly follow the lessons given alone to the convict. As it is, with the many disagreeable circumstances to dishearten, the visitors to the male department of the County Prison are faithful and persevering in their efforts.

## FEMALE DEPARTMENT.

The female department has, since the publication of the last number of this Journal, had its whole complement of cells finished—an addition of forty-two to the former number of cells—and has also experienced a

considerable diminution in the number of convicts. The result of this favorable state of things is a compliance with the letter of the law in securing separate imprisonment to every female convict, and a conformity with the spirit of the law, in placing the untried accused in separate cells; and, as far as possible, even the drunkards and vagrants are kept separate—and even this last has, of late, become general.

Of course, the discipline of the prison is easily maintained when separate confinement is practised; and by being saved from the irritation consequent upon punishment, however slight that punishment may be, the minds of the prisoners are tranquil, and disposed to listen to instruction.

The effect of the favorable state of the female prison is manifest to the visitors. Lessons prescribed are easily and readily acquired, and exhortations and instruction are listened to with a spirit of gratitude and evidence of docility that are eminently encouraging.

It is difficult to tell how much good has resulted from the moral efforts in this prison, because it is not known how much of permanency is in the resolutions to amend. Those resolutions have often much more of sincerity than of permanency. The circumstances of the convict are favorable to good resolves, and to mental and moral improvement. These circumstances necessarily change when the repentant leaves her cell; and that change is often so great as to defeat all resolutions to do and to be good. The combat is often earnest, and sometimes persistent, without being successful. Without some friend to watch, encourage, and assist, the poor contestant is

apt to waver, and often yields.; but many instances have lately occurred, in which the resolutions formed in the cell, the promises made in sickness and durance, have been faithfully and fully kept. With all the temptation to err, to fall back, to relax vigilance, and slide into old habits, these persons have faithfully sustained themselves, and some of them now are beyond all fears—they have “been faithful unto death.” A peaceful sinking away from life, and a quiet death have set the seal upon their resolutions for good; and they had learned in prison to practise that virtue and that piety of which, in freedom, they had heard but little, or only heard of to deride.

Without any arrangement for instruction in the ordinary branches of school-studies, the habit of supplying the female convicts with means for learning to read and write has been kept up, and several, during the late years, have left the prison with those every-day accomplishments which they lacked when they were convicted; and it is with pleasure added, that these new attainments have been the means by which their possessors obtained and retained places of some confidence.

It should be borne in mind that most of the prisoners can read, and many of them can write on entering the prison. Yet it may be stated that those who learn to write in the prison make the best use of their new attainments. Perhaps that is owing to the fact that those who had some learning before they entered prison, had so long abused it by vice and crime, that they had little taste for using it well when they quitted the prison, while those who had formed resolutions for good while

they were learning to read and write in prison, found in those new acquisitions a new incentive and a new means for virtuous conduct? Certain it is, however, that those who had self-respect enough to acquire the rudiments of practical education in their cells, do better abroad than those who had those attainments when convicted, and who debased those attainments, as they did all others, as well as all other faculties, by the crime which brought them to prison.

The idea intended to be conveyed in the above paragraph is, if correct, eminently worthy the attention of those who seek to "ameliorate the condition of prisoners." No matter how much the convict may know, he is often heard to say that, if "he had as much learning as some other whom he knows, he would never have fallen into crime." That is not likely, but it shows that a respect is paid to learning as if it were a means of virtue; and it is not to be doubted that the learning acquired in prison from the moral instructors, having never been debased by bad uses, may be made most subservient to the work of aiding the discharged convict in obtaining a living without a resort to crime. Self-respect is a great auxiliary to virtue.

This branch of the labors of our Society is so important, that we have thought it worthy of special remarks as it regards the manner of doing it, and we have, in another part of this year's publication, placed a letter which contains hints to prison visitors, which are the results of many years' experience, with some failures and some success. The better the structure of the prison, the more thorough the discipline; and the more

perfect the isolation of prisoners, of course the greater is the chance of success which the visitor has in his attempts to improve the convicts. But whether the prison be well or ill constructed; whether the discipline be fully maintained or be ruinously relaxed, whether the prisoners be separately confined, or congregated in masses—the visitor from the Society has to enter upon and prosecute his labors of love, hoping, of course, but often hoping against hope, for some success—and succeeding sometimes when all circumstances seemed to point to failure.

We should be gratified to give here some striking instances of the success of efforts of the Committee and Agents of our Society to recall to virtue, females whose condition seemed to forbid hope of their permanent amendment, but it is impossible to do this to any extent, without endangering the work by the exposure of names, or calling attention to persons. Women who have suffered in their character, and desire to become and remain virtuous, need privacy. The wounds of reputation, like those of the flesh, heal best in the dark.

The health of the County Prison and of the Eastern Penitentiary has been good. A piece of information interesting to every person of feeling. Sickness is grievous in any position, but in the cell of a prison it is doubly afflictive. It is a part of the system by which the prisoners in this city are governed, that there shall be good medical aid, not accidental but incidental—not spasmodic, but steady, uninterrupted. In the County Prison a principal physician visits the whole of the establishment twice a day, and oftener if his services are

rendered necessary, and a resident physician is at all times within call. These medical officers have had the usual demand upon their time and attention. Eight or nine hundred persons, many of whom were regular debauchees before commitment, furnish cases for inquiry and serious care; but no fever, no epidemic has marked the history of the prison for the last year.

These, as we have said, are facts interesting to the true philanthropist. But there is another consideration —how is this state of healthiness secured? How are cells crowded with prisoners preserved from sickness, and how in a prison with such crowded cells is general health *maintained*, we had almost said *preserved*? for really many who are now healthful in prison, came in sickly, pale and emaciated. The answer is at hand. The prisoners are kept clean in their person by full means of ablution, and they are supplied with clothes to be changed twice a week, after being fully washed and completely dried. Their food is certainly not as costly as that served up at some of the restaurants of the city, but it is clean and wholesome, and what is of chief importance, it is regularly served.

Water is abundant in the County Prison, and it is liberally supplied, and soap, that great instrument of cleanliness, though cheap by the pound, is a costly item when the bills for the quarter are footed up.

The female department has one point of superiority over the other parts of the prison establishment. It is only two stories high. Light, there, is abundant, and ventilation easy and complete. And the sun, that fountain of health, pours its rays fully upon the brick floor

of the lower story. The proverb says : " Where the sun does not enter, the doctor must come."

We cannot doubt that the continued health of the female prisoners in the County Jail is greatly due to free circulation of air and the full benefit of sunshine in the building. Perhaps the superior neatness, purity, and sanitary order of this portion of the Prison is partly due to the fact that two matrons preside over that part of its administration, and all their assistants are females. Almost any man can keep a clean floor, but it takes women to ensure clean corners—and in the corners and out-of-the-way places are concealed the means and elements of disease.

Those who visit this part of the Prison, especially since its enlargement, pronounce it superior in all claims to approval to any county prison they ever visited.

#### AMELIORATING THE CONDITION OF PRISONERS.

In almost all the pamphlets and reports touching efforts abroad to ameliorate the condition of prisoners, we find cheering references to the benefits which have resulted from organized efforts to assist the convict after his release from prison—or we meet with melancholy reference to the utter failure of all moral suasion in prison—from the want of some watchfulness and aid in his behalf. And those who read the reports of the Agents of prisons in this country, must be struck with the importance which is attached to the persistency

of efforts first made with the convict and then continued upon the discharged man. In France, societies organized for this object alone, exist in several of the large cities, and the result of the labors and contributions to guard and guide the released convict, is formally and statistically set forth, with the same precision and regularity that mark the reports of work in the prison, and the effects are wonderful and consoling.\*

The Visitors of this Society do what they can, and they do much, to perpetuate this good work among prisoners, by keeping up an intercourse with the discharged convict, and considerable energy is spent in this direction, and almost invariably with good results. But not enough is done, there needs a specialty. The time of the visitor is sufficiently occupied with the prisoner in his cell. The time which he gives to one discharged man, and gives willingly, would be better bestowed in commending many prisoners to the care of a separate organization. The division of labor would ensure more thorough action in each department. There are cases, we know, in which the visitor, by several years acquaintance with his cell-client, acquires

---

\* It is proper here to state that several admirable Associations in this city receive discharged prisoners and take care of them for a time, and do much for their comfort, improvement, and future welfare. We might mention the Howard Home, the House of Industry, and the Rosine Association, but these Societies also divide their cares and labors. We have not in this country, as in France, any Association formed and maintained for that purpose alone—to receive, provide for, and watch the movements, near and at a distance, of the discharged convict, to keep him in view, as one of a family, and to keep a record of his acts and condition. The existing Societies in this city do much good, and deserve all praise.

such an interest in the man, that he is willing to devote much time to the affairs of the discharged convict. In these cases the wish of the visitor should be respected. Experience, especially in the Penitentiary, shows how strong and how truly beneficial to the prisoner is this interest which he has created for himself in the heart of the visitor.

We have already observed that we are compelled to avoid statements of cases that would illustrate and strengthen our remarks, lest we should do some injury to the repentant and striving, who have left the prison with promises of good conduct, which they are trying to keep. But there are two cases of opposite results that we will notice, to show the different effect of two kinds of treatment. A young woman was left by her husband with the burden of sustaining three small children; the husband was at sea, and had suffered shipwreck. House-work was less in the line of the woman's attainments than plain sewing; the former was denied by her condition, the latter she could not obtain, and so she needed comforts for herself and children. She lacked the necessities of life, and, instigated by another woman, she stole clothing, and pawned it, was arrested, and sentenced to six or eight months imprisonment. She did not pretend to deny the act, and could not declare that she thought her necessities justified her crime. She was placed alone, supplied with books and work, her better qualities seemed to develop themselves; and it was difficult, in the gentle manner of the inmate of that cell, to suppose that there had ever been felony imputable to her. At the termination of her sentence, she was

placed where her use of the needle would be available ; and there can be little doubt that she will be enabled to carry out her good resolves. What would have been the result of her leaving the prison, even with her good resolves, without the protection which she received when discharged, we do not know, but it is quite possible to imagine.

A young woman of impure association, was arrested on a charge of homicide, in having produced the death of one of her companions by a missile discharged at another; most of them, the prisoner, certainly, being intoxicated. She was indicted on two charges, one assault and battery, the other homicide. She was found guilty of the first, and the trial of the other was not had. Six or nine months imprisonment was meted out to her. In prison her conduct was not bad, though heedless. A sister came and promised to receive her at the termination of the sentence ; and the prisoner promised to take shelter in the offered home, and avoid bad ways and bad company.

At the expiration of the young woman's sentence she was discharged ; unfortunately, the person feeling the deepest interest in her fate was detained from the prison by illness. Of course, when the poor girl went forth without any one to watch her course, she went forth without any one to see that she reached the provided home. She had behaved very well while in prison, and left with a renewal of the oft repeated promise that she would avoid all temptation of persons and places that would endanger her safety and virtue. In two or three weeks she returned to the prison for drunkenness, and

afterwards was charged with an attempt to kill the young woman who had before borne testimony against her. She had returned to old haunts and the practices of vice ; and she had attempted to commit the same crime, and probably under the same influence—that of whisky. Sober, she seemed mild, and amenable to direction ; intoxicated, the homicidal passion was manifest. Had the girl been taken out of the city, and placed in some family where she could have been made to do house-work, of which she was quite capable, and her condition and proclivity of mind and feelings consulted, she might have been spared the second crime.

We could multiply greatly our comparative statements, and show the unspeakable benefits resulting from a watchful and affectionate attention to the discharged convict. Unquestionably, we could immensely increase the number of citations of cases in which the unfortunate woman has stepped back into vice and error for want of some gentle hand to guide, some word of sympathy to encourage, some grain of aid to lift the repentant over immediate difficulty.

This work is to be done. In this country it is, indeed, yet to be fairly and fully undertaken ; undertaken as a special work, and carried forward with the zeal and means that mark other charities in relation to prisoners.

---

### THE AGENT.

We have of late years made a regular reference to the labors of the Agent of this Society, Mr. William J. Mul-

len, and as we are now referring to what the Society has done, we necessarily refer to the doings of the Agent, who works in the name and on behalf of the Society.

Mr. Mullen has for many years past published a regular statement of the results of his efforts, direct and personal, to meliorate the condition of prisoners. And some instances have been given in our Journal of his successful efforts, but where he reports from twelve to fifteen hundred cases each year, it would be impracticable to attempt to present all these cases. But we refer to them now as connected with, and a part of the means of this Society for reaching the object set forth in its title. And we wish to add that we do not see how this or any other Society of the kind could effect its object without just such an agency. Prisons may receive modification in form, and entire changes in administration, according to the views of men of true social science, without at first affecting the condition of the prisoner. While discussions are going on with regard to the position, size and number of cells; while commissions and committees traverse States to make inquiry as to the best mode of disposing of the convict; while county functionaries look grave over the additional cost of taxation, to pay for, and maintain the prisons; while the philanthropist discusses the question of separate or social confinement, or the relative value of the Pennsylvania and the Irish system, the poor prisoner, in whose behalf philanthropy has raised these inquiries, needs some medium between him and the world without, by which he may secure a fair trial—or if convicted, be made to feel that there is *hope* beyond the sentence, and that the

opening of the prison door for his egress, is not also to admit him to the haunts of vice. The Agent is needed here. But a part of the County Prison is crowded with persons charged with offences of a character just sufficient to keep them in control of the magistrate, their imprisonment affords a personal enemy a chance to use their absence to their disadvantage, while he gratifies a bad feeling of hatred, jealousy or envy. Hundreds of women are every year committed to the prison on charges of assault, of threats, of abuse, made by persons who are themselves the offenders, and who make the charge "on oath," merely to place their victim in a position where she cannot begin the suit.

Children are thrown into prison to prevent them from bearing testimony against their prosecutors. Wives are thrown into the cells because they give vent to their feelings, outraged by the presence of another woman, brought into the house to share their loaf and occupy their bed. And some even are "sent below" to prevent exposures which their unexpected return might cause.

The heart-wrung mother comes down to the County Prison to search for her erring daughter, gifted with poverty and beauty—and fears to find that for which she looks—she too often finds her there. "And worst of all and most to be deplored," the young daughter missing for a night her widowed mother, comes and finds *her* the inmate of a cell.

The convict too has interest abroad, some little claims for wages, some small depository of clothes, some pawn tickets for dresses or ornaments, pledged for the necessities of life.

Here is work for an "Agent." It is not difficult to see that with judgment, prudence and perseverance, the condition of most of those to whose state we have referred, may be greatly ameliorated. Those who watch the labors of the Agent know how extensively and how heartily that work has been done.

The Society in doing justice to the masterly efforts of Mr. Mullen, takes to itself a portion of the credit to which his labors are entitled—because his office is a part of the plan of the Society, and a devised means by which the work was to be performed. The manner, persistent and thorough, in which the Agent has done the work, is Mr. Mullen's claim to consideration.

We repeat now what we have had occasion to say more than once. That while we stand astonished at the nefariousness of some acts which Mr. Mullen has, by investigating prison cases, disclosed, and the personal and social benefits that have resulted from his interference, there are small cases that have received the careful and successful attention of the Agent, which are so limited in their influence upon any but the mere sufferer, that they are not reckoned of importance sufficient for a "report," and yet their settlement has brought peace and consolation to a distressed family, and in more than one instance has snatched from the very brink of utter ruin, the young female who has chafed at home authority, or has wandered away without special motives, and then has placed her where the better instincts of her sex could be directed by the best influence of religion.

## PRISON DISCIPLINE AND ITS ENDS.

Rarely has any subject occupied the minds of the public so completely and so extensively as that of Prison Discipline does at the present moment. Almost all of Europe that has in it any quality of progression, is looking to the construction of prisons, and the mode of making incarceration a means of improvement. And now we learn that the question has been discussed in India; or, rather, perhaps, *in* England, *for* India, and attempts are to be made to place the prisons of India in the way of improvement corresponding with those of Great Britain, Ireland and France.

No friend of humanity, no one who has interested himself in the amelioration of public prisons, can notice this general direction of the public mind without rejoicing that at length so important a question is to have a public hearing, and praying that a correct judgment and a proper disposition of the subject may be reached. We do not doubt that immense good will result from this agitation of the question, even if some mistakes should be made in the discussion.

The danger which we see ahead is a too sudden decision. Discussion is not always deliberation, and deliberation is not always judgment.

Those who have the eye and the ear of the public at the present time, are good persons, who have become disgusted with the bad results of the old system, and who hear much of the good results of what is done in Ireland, and hence think that the Irish system, or, as it

is now proposed to designate it, the Crofton system, is that alone which will correct existing evils in prison discipline, and correct the morals and manners of the convict.

Approving as we do, of much that distinguishes the "Crofton system" from the old prison discipline of England and Ireland, we rejoice at the improvement which that has secured; but we know, or we think we do, that what would make that system of any use in this country, is to incorporate the best portions of it with the Pennsylvania separate system. As a system of itself, it is inapplicable to this country. As containing some well tested plan of giving additional advantage to our separate system, it is worthy of notice. Something like the best part of the Irish, or Crofton system, has been tried in many of the States, and approved. In Pennsylvania a law was passed proposing means by which the prisoner could redeem a portion of his time by good conduct. That law was pronounced unconstitutional, and nothing has since been proposed as its substitute, owing, perhaps, to the agitation of the general question, and the appointment of a Commission to investigate and report upon prison construction and prison discipline.

One feature of the Irish system, and that, perhaps, which seems specially prominent, is what is called "Ticket-of-leave"—that is, permitting a convict after good conduct during a portion of his whole sentence, to leave the prison with a certificate or ticket that he is permitted to be abroad, and to work or live under a species of surveillance by the police, until he shall have forfeited his privilege by a renewal of crime, or ac-

complished his sentence without any new violation of the law.

We have in our previous numbers made special reference to this great feature of the Irish system, and endeavored to show how it lacks applicability to the circumstances of this country. We now renew our reference to the objections, because the question is still before the public, and the arguments in favor of the Irish system are constantly and earnestly pressed, and we feel unwilling to have a new measure adopted for want of reasons to show its errors.

The "ticket-of-leave" works badly enough in Ireland and England; but it works better there than it can here. In England and Ireland there is a regular police, with a dense population, so that a ticket-of-leave man will be held in some reserve by a sense of being watched, and the fear of going back to prison and losing all the time which he thought he had earned by his previous good conduct.

In this country the ticket-of-leave man or woman would only have to cross the line of a State, and they would have little to fear from the police for any existing claim of justice.

But what renders the "ticket-of-leave" system so good in England and Ireland is, that those who wish to do well with their experience and a ticket, are helped to places, and encouraged and aided to continue to do well. While the larger number who have, while in prison, by good conduct, earned a ticket-of-leave, and obtained employment, hasten with their first earnings, or first beggings, or first stealings, to escape from the

country, and set up their business in the United States. Of course, the good people of Ireland and England approve of a system that improves a few of their criminals, and rids the country of the irreclaimable.

Of course, the people who would empty their alms-houses upon our shores, would more willingly populate our cities and prisons with the tenants of their jails.

And we have reason to know that *calculations* for getting rid of ticket-of-leave men have been founded on the expectations that they would emigrate to this country. The reports of the Irish prisons show that this course has been practised, we cannot say encouraged—but in some sections, we believe it has. In most of the Irish reports we see it set down as a result of the early discharge of convicts on ticket-of-leave, that they used their first gathering of money to escape to Australia or the United States.

It is true that nothing is said about the direct calculations upon this mode of relieving England and Ireland, but the reports show that there *is* a calculation, or, at least, a gratifying recognition of the result of “tickets-of-leave.”

In the annual report of the “Prison Society of New York,” for 1867, we find a letter from the Secretary of the Buckinghamshire Prisoners’ Aid Society to the Secretary of the Prison Association of New York, in which the following request is presented:—

“Will you be so kind as to inform me whether you would co-operate with us in endeavoring to lead discharged prisoners, whom we might assist to emigrate, into an honorable course of life?”

Of course the Secretary of the New York Society answered negatively. But it seems that the Secretary transmitted to the Secretary of State of the United States the request of the Buckinghamshire Society, and received for answer that the Government of the United States habitually regards the transportation of convicted felons as a violation of international law, and it refuses to receive them. It holds foreign governments responsible for the wrong done.

The Secretary of the New York Society thus speaks to his English correspondent :—

“ We look upon it as a duty of every State to retain its criminal population within its own territory, and to seek to improve them there. Any other course we cannot but regard as contrary to international comity and justice.”

The view of the New York Secretary is certainly correct, and the opinion of the Secretary of State is, of course, international law. But the ticket-of-leave is a means of violating the law, and any prison in the principal cities of this Union will furnish a goodly *per centage* of its convicted inmates as beneficiaries of the English and Irish “ ticket-of-leave ” system. This is not so easily proved in a court as it is established in the opinions of those who daily see and converse with the immigrant prisoners.

We discussed this question last year, but then with less reference to the *interests* of the prisons of England and Ireland, to promote the emigration of their semi-graduated dependants. We see now that the emigration is a motive avowed, as it was before a result ap-

proved. We can scarcely approve in Europe of a system that, by a little hypocrisy on the part of convicted felons, empties their prisons and penitentiaries upon the shores of the United States, and transfers from foreign countries to our cities the primary schools and academic establishments of villainy, in which children are prepared to graduate as accomplished pickpockets, and to grow into sturdy burglars. Nor do we think well of a system that enables the felons of England and Ireland to establish in this country a sort of corporation of crime, by which each convicted offender shall be aided to procure his release from a general and commanding fund, made up by heavy taxation upon the purses of individuals or associated burglary.

We hear it said, indeed, that "by the use of the ticket-of-leave we may induce our criminals to go to other countries, and thus the evils be equalized."

If it is wrong morally, wrong legally, for Great Britain to send, or to adopt means that will send, her felons from her own prisons to our shores, it is no less immoral and unlawful for the United States to send their felons to prey upon the people of other nations. We must not do it even if we could.

But supposing for a moment that there was no law or declaration against such a species of "jail delivery," and that each nation might do as it seemed its best policy in the case. Then we should have the worst of it. The reports of the Irish penitentiaries say that as soon as the ticket-of-leave man can earn enough to pay his passage, he leaves the country and goes to some colony, or to the United States. About twenty-five dol-

lars will pay the passage from Ireland to the United States. That is soon earned and saved, or it is sooner acquired when the avowed object of the acquisition is to leave the country. English and Irish charity likes to take that form.

No such migration takes place from the United States. We do not know, nor does the felon know, and he undoubtedly has inquired closely whither he could go to better himself. The ticket-of-leave then of Great Britain and Ireland sends to the cities of the United States the convicted felons of those countries, while the ticket-of-leave of the United States would only turn loose native and immigrant felons convicted here, to profit by the sharpness and sagacity of their newly arrived brethren.

Writers in France and Germany, and even in Italy, seem to favor the ticket-of-leave system. We will not say *because* they know—but they cannot be ignorant of the fact—that these tickets-of-leave assist the holders to leave their own country, and there is little in the police or other circumstances of the cities of those countries to incite the felons of neighboring nations to come and fill the places of the emigrating “ticket-of-leave” men and women. Abroad, the consequence of tickets-of-leave is emigration to the United States.

Our reference to the ticket-of-leave system certainly is more against its practice abroad than at home. We see what it effects abroad, as it regards ourselves, we do not know what might result in this country, because, as yet, it has not been tried in the form in which it is practiced in England and Ireland.

That there can, and, therefore, there ought to be, great changes in the criminal laws of our State, seems obvious. Laws that concern the discrimination between degrees of crime. Laws that concern the conduct of the convict, and laws that would enable the convict to diminish the number of the months of his incarceration by evidences that the great object of imprisonment, viz.: the reformation of the prisoner, had been obtained. The enactment of these laws would, of course, interfere with existing prison regulation and discipline. We have looked carefully to this matter, and have come to the conclusion that all that is required, and much, we confess, is required, can be engrafted on the Pennsylvania system; and only upon that can there be hopes of permanent advantages to the prisoner, and, consequently, to society.

It is worthy of remark that all the new theories of Ireland and France include the idea of separate confinement for a certain proportion of the time of the convict's sentence, a time to be measured by his conduct. Separate confinement is, then, the foundation of all the systems that are presented for adoption. The benefits to result to the prisoner are to flow from the separation. Two considerations are militating against what is denominated the Pennsylvania system:—

*First*—The grand mistake of considering the *separate* confinement as *solitary*. Dealing with the question as if the convict were shut up in the "narrow cell," and that for the whole term he was to see only the silent keeper, and hear only the key turn in the rusty lock, or the door grate discord on its rarely moved hinges, as if

nothing human were submitted to his consideration, nor in the long term of his imprisonment “would the voice of friend or kinsman breathe through the lattice.”

*Whereas*, in separate confinement the officers of the prison see and converse with the convict several times a day, and give instruction, if necessary, in the branch of labor on which he is employed. The inspectors make their round with more or less regularity. Friends and relatives are permitted to visit at stated periods, and, most of all, and most to be approved, the members of the Acting Committee of the Prison Society have access, not only to the prison, but to the cell, for close private conversation and instruction whenever they choose to present themselves at the prison, and still more and still better, the members of the Acting Committee *do* go regularly and visit frequently, and advise earnestly, and, as we know, do produce good. In addition to all these, regular religious and moral instruction is imparted, not merely by established services on a Sunday, when a clergyman officiates, but by persons of the same creed, with those visited, so that every inducement to pure life is supplied.

That is not *solitary* confinement.

*Secondly*—Another great mistake is made in the calculation of what is called economy, by which the merits of a system and its administration are estimated by the cheapness of their workings.

We would have all conducted with economy; we would have the great end of imprisonment obtained by the least expenditure possible; but we would not convert our State Penitentiaries and County Prisons into

“galleys,” where the end is punishment and instruction to the convict, and some profit to the State. Men who are sentenced for a certain number of years, it is expected will return to society, and, it is hoped, that they will come back improved, and that the evidences of improvement will be more manifest than that of punishment.

Let people dismiss from their minds all idea of “solitary confinement”—all the unfounded fears of the effects of imprisonment upon the mental faculties. Let them look at the Pennsylvania system as it is practised in the Eastern Penitentiary, and let them reckon among the claims of that institution to public respect and confidence, its wonderful adaptability to all the wise and really practical and righteous parts of the schemes which are lauded in Europe, and we shall hear no more about the Irish system—a system which, by the way, is only Irish in practice, since the theory was promulgated years before its adoption in Ireland by our correspondent, M. Bonneville Marsangy, of Paris.

The hope of helping all prisoners must rest upon the separate system. The congregate system may have turned out many prisoners improved in all the best qualities of man. But they might have been good without instruction. No man builds a hospital for those that he knows will get well of themselves. The institution is for the sick and wounded, all of whom, it is hoped, will profit by admission and the attention of physicians and nurses.

## COMPARISON.

Where detention and severe treatment, withdrawal from social intercourse abroad ; where the administration of the vengeance of the law, unmitigated by any improving care of humanity, have been the rule and practice of the prisons, upon the systematic and legal mode of cruelty, there the Irish system is a wonderful change in favor of the best feelings of humanity, and, as those who try and execute that system have never tried extensively the Pennsylvania system, it is to be regarded as a proof of their earnest zeal in the cause of humanity, that they have accepted so much of the separate system, that indeed they have founded their own on that plan, and if there is anything wrong in their ticket-of-leave system they are perhaps excusable, on the consideration that such a ticket gave to convicts permission and means to leave the country where their character was bad and the criminal profession overcrowded.

All that is valuable in the Irish system and practical in this country may be made subservient to the Pennsylvania system, and will here as there derive its means of good from being engrafted on that system.

Our own experience of prison discipline, and a more extensive acquaintance by means of reports, books, speeches, and individual narratives, lead us to believe that we know something of the subject which now so generally occupies the attention of philanthropists and economists. Our views of the two almost opposing systems, of separate and of congregate confinement, have

been plainly stated, and we have read with attention, and listened, with a desire to profit, whenever books, or reports, or narratives have had for a theme the question of prison discipline, and to two conclusions we have been led by all that has met our eye or ear on this important subject.

*First.* That the separate system of confinement is that which ensures the best if not the only chance of moral improvement to the convict, and this seems to be the opinion of all those who advocate any system excepting that of the established, congregate mode of confinement. Even the improving part of the Irish system rests upon the separate confinement of the prisoner for a part of his punishment—a part which is even larger than for the same offence would be the whole of his imprisonment in this State.

Undoubtedly there is much in the Irish system that may be regarded with great approval, especially by those whose experience has been wholly or mostly with old European modes of dealing with convicts.

*Second.* And, as applicable to whatever system is to be carried out, there must be a full comprehension of its bearings by the chief, and a willing, hearty correspondence by his subordinates. The business of improving the prisoners must be as well understood and as heartily concurred in by the cell-keeper as by the warden ; and every man that approaches the cell of the convict must come in a spirit of kindness, and the prisoner must feel that his good is intended.

If the separate system is carried on in this spirit, it will prove by far the best ever adopted. But if the true

spirit is neglected, the separate system will only prove a better means of ensuring the safe keeping of the prisoner.

If the congregate system is conducted *without* a constant regard to the moral benefit of the prisoner, only with the intention of detaining him, and making him earn his own support, it will certainly make the man worse if he is inclined to evil. If the congregate system is conducted *with* as constant a reference to moral improvement as is possible in that mode of huddling together the bad and the worse, then we may hope for some good from the administration, not the system.

When we hear discussions upon the value of systems of prison discipline, we want to know what is the character of the administration. A bad system may produce some good by a conscientious administration. A good system will fail of many of its possible benefits by a weak, careless administration.

#### DIFFICULTIES TO BE OVERCOME.

We, last year, gave an abstract of the Report of Mr. Mahlon H. Dickenson, on the construction, condition, and administration of most of the County Prisons in this State, and we are satisfied that the visits which that gentleman made, with a view to that Report, have already been productive of much good, and that product will multiply. The knowledge that there exists in this State and under the laws of this State, such means, such operative means of misery as Mr. Dickenson describes, will awaken the full feelings of the people of Pennsyl-

vania, and lead to measures of correction for this great evil. But that which is so much everybody's business, will be treated as if it was nobody's, till somebody calls up direct action among the people, and arouses the Legislature of the State to place the whole subject where the best intelligence with the best feeling can be made to devise and apply a remedy.

We have elsewhere in this number of the Journal stated that a Commission had been sent out by the Governor of the State, to gain information on the subject of prison construction and prison discipline. That Commission was the result, in part at least, of Mr. Dickenson's Report, and Mr. Dickenson's mission was, we believe, the fruit of the efforts of this Society in that direction; efforts, of course, in concurrence with a general public sentiment pervading not only this country, but almost every country of Europe. But even in the production of this public sentiment this Society may claim to have had a share.

But Mr. Dickenson's report was only good as a sort of initiation of the work; and even in that regard it fails of most of its effects for the want of a proper arrangement to make it the initiation of a persistent effort upon a well established plan, with office and officers to digest and give to the people the result of annual visitations and reports. We need a State system; we need a recognition more direct, more applicable, more systematized, of the individual and corporate efforts that have been made in this State to meliorate the condition of public prisons.

The work of ameliorating prison discipline and the

condition of prisoners, has, of course, advanced. The proverbial philanthropy of Pennsylvanians would not allow well devised efforts in the cause of humanity to go without encouragement and aid. Old prisons have been modified, and new prisons have been erected upon plans to carry out a system of humanity on behalf of the inmates. But these good results are not general, they are not equal. In some parts of the State the County Prison seems to be constructed, and its affairs administered, as if those in authority recognized the humanity of the prisoners, and their own obligations to that humanity. In other parts the taxes of the county have been kept down by a neglect of all the duties towards the vicious and criminal, or they have been kept up by expenditures upon prisons that are utterly worthless in the way of improvement of the prisoner, and utterly disgraceful to those who erect and conduct them. We have, in several numbers, discussed this question; we have now only to say, that we think there is a spirit abroad that would, if it were better informed, improve the best prisons we have, and replace, or reform altogether, those that are the worst. What we need is such an official organization at the seat of government as will enable the public to understand the extent of the existing evils, and the practicability of plans for their diminution, and to receive, use, and make public, the information derived from the voluntary and gratuitous labors of those who have long seen the wretched condition of our prisons, and have striven to introduce improvement in their administration.

In Massachusetts, the whole business of pauper and

penal institutions is submitted to a commission, whose superintendence, mediate or immediate, gives efficacy to the system by a union of efforts, and an entire correspondence between all parts.

In the State of New York, the work is in the hands of the Prison Society in the city of New York, whose efficient labors are recognized and seconded, and in that full recognition and seconding are rewarded. We may regard the New York Prison Society as almost a Bureau of the State Government. It deserves the distinction, because it discharges the duties of such a place.

In Pennsylvania, the efforts of the Philadelphia Society for Alleviating the Miseries of Public Prisons have been recognized as valuable, and many of its suggestions have been adopted, and its spirit has been made to pervade various parts of the State, and to produce associations to adopt and carry out its plans; and where associations have not been formed, individual efforts have been stimulated, and the good work of prison improvement has been extended.

But, whether it is because we have not asked enough, or have asked amiss, it is difficult to determine, but certain it is that, in Massachusetts and New York, efforts, such as have been made here, would have produced different results in the legislation of those States. Massachusetts is said to be one great Boston; and the plans for good which are best devised in the enlarged community of the capital, are approved and adopted by the State at large. In New York State, pride in, and dependence upon, the commercial capital, pervades the whole State, and what the genius of individuals and

society brings forth for general good in the city, is taken as a part of the best production of the whole Commonwealth, and is therefore established and sustained by legislative enactment.

In our State, for some cause or other, (we pretend not to know it,) there is less affinity between the City and the State, less pride in the commercial capital, and less disposition to second efforts that tend to the amelioration of increasing and growing evils. Perhaps the sympathy or feelings that are aroused by considerations of gain, or physical improvement may be stronger; certain it is that while the means of discharging a great duty that connects itself with social science are too much neglected, there is less cause of complaint of labors to make laws that touch political economy. Yet we should not consider that we are altogether deficient, or that the State has not manifested a deep interest in the subject of prison discipline. The existence of commissioners, and the late employment of an agent to investigate the prisons of this State, and look into some of those of other States, show that much has been done, and warrants the hope that much more will be done. Let us labor in the field that is before us, and in time we may expect to see our wishes gratified, and our toil and sacrifices rewarded, not because they are our wishes, our toils, our sacrifices, but because they all tend to a great and good object.

After this Report was prepared and approved by the Society, there was received from Harrisburg the report of a Commission, (elsewhere mentioned,) appointed to take into consideration the subject of Almshouses and

Prisons, and especially to consider the propriety of establishing a "State Commission," to which all the prisons and charitable institutions of the State should report, and by which all such institutions should be visited at least once a year. The pamphlet bears the title, "Report of the Special Committee of the Senate of Pennsylvania, appointed to inquire into the propriety of establishing a Board of State Charities." The investigations of the Committee seem to have been thorough into the character, condition, and object of all penal and charitable establishments in the State; and the result has been the report of a Bill to create a Board of Charities, which body shall consist of five Commissioners, with Secretary and Agent; and all proceedings and results in the Penitentiaries, prisons, almshouses, and charitable institutions with which the State holds connection, shall be reported to that body, and, when put into order, shall by the Commission be reported to the Legislature once a year. The plan is excellent, and it is according to, if not the result of, the proposition made by this Society a few years since. Let us hope that the Legislature will pass the bill into a law; let us also be encouraged to labor, even though we wait.

---

## LETTER TO THE PITTSBURGH PRISON REFORM SOCIETY,

*By a Member of the Philadelphia Society for Alleviating the Miseries of Public Prisons.*

My friend and co-laborer, Philip P. Randolph, Esq., some time since pressed me to visit Pittsburgh, and be present at the annual meeting of the Pittsburgh Prison Reform Association. The time between the notice which I received and that fixed for the meeting was so short, as made it scarcely possible that I should make the journey and be in a situation to assist in the exercises, which would, I knew, be so interesting to me, and which the report of the proceedings (that I have since read) prove to have been most instructive—and augment the regret that I am occasionally compelled to cede to the imperative demands of seventy-six years.

Had I been present at your anniversary, I might have attempted to make some remarks upon the objects and labors of your Society, and offered some encouraging words to those who seek to make the place of punishment for crime the school for lessons of virtue. The report of your proceedings only exhibits the temptation *to*, not the necessity *for*, any speech by me, and as the work was well done, I have only to regret that I could not have shared in the pleasure assured to those who assisted in the meeting.

Mr. Randolph, however, suggests that I should address

a few words to your Association, expressive of approval of your plans, and of felicitation upon the early beneficial results of your labor—not of course as an individual offering, but as denoting the sympathy of the “Philadelphia Society for Alleviating the Miseries of Public Prisons,” with the views and feelings of the “Allegheny Prison Reform Association.”

It would have been better, perhaps, had I complied sooner with the request—but constant demands upon my time, and an inability to use my pen more than a few minutes each day, must be my excuse for tardiness—and then we all know that though with reference to a particular anniversary my letter may be out of season, yet with regard to the subject upon which I write, if my remarks are not pertinent, it is no loss that they are late. If they are applicable, they are good for all time. If it be true that “the poor we have always with us,” it is no less true that the vicious are not likely to cease from the land. If Charity (love to others) suggests a constant provision for the unfortunate, so that same Charity, with something of self-protection, demands from us unfailing watchfulness for the erring. The poor may be righteous in their poverty. The vicious are almost invariably poor in their vices. The former need only “day by day their daily bread.” The latter need all that, and they require also constant monition and gentle aid to keep them from temptation and to “deliver them from evil.” Hence the double duty of those who attempt to ameliorate the condition of prisoners.

The active members of your Association will probably feel that their first duty is to seek to ameliorate the con-

dition of the *prisoner*, to visit him in a spirit of Christian charity, and to make him understand he is not cut off from the sympathies of his kind by either his crimes or his punishment; and that it is in his power, and at his option to make that punishment a means of securing the benefits that he sees and envies in others, and to enable him to make and take a place with his fellow man in the business of society and in the rewards of business. Or, even failing that, the season of reflection and repentance, of self-examination and resolves, may be so improved that the suffering of the prison may be followed by the happiness of heaven.

The attempt to discharge such a duty will naturally lead to the discovery that not only are some dispositions of prisoners most unfriendly to attempts at their improvement, but also that there are some conditions of prisoners that seem to preclude all hope of inducing them to profit by good advice. Nay, in addition to all that, there are certain modes of approaching prisoners, and certain means used, in attempting their improvement, which seem revolting to their feelings, and so antagonistic to their preformed ideas, as to defeat the object for which the sacrifices of visitors are made.

Your visiting members, and especially your agent, will have discovered and encountered these impediments in some degree, and, perhaps, will have a full comprehension of their nature and remedy. Yet, as little is said of them in the excellent remarks of the speakers, as reported in the proceedings of the Anniversary Meeting, I thought it proper to refer to some of these matters, not with any view of instructing, but solely with a desire of

comparing the results of experience, and making therefrom profitable deductions.

The first object of all effort is the improvement of the prisoner. The title of your Society is, indeed, the Allegheny Prison Reform Association, a name which, at the first glance, might be construed into the declaration of intention to make the improvement of the form and practice of the prison the end at which you aim. Of course, this was not intended; we all understand that by a metonymy, you take the name of the place for that of the occupants, and that the reformation you contemplate is that of the prisoner rather than that of the prison; though I think that we shall all agree that in the search for a cause of the evil which you would correct, we are likely to encounter the glaring error of the construction of the prison building, and the bad administration, or rather the want of a plan of administration; and in the progress of ameliorating the condition of prisoners, we shall have to recommend change in plan and construction of the building, and improvement, at least, in administration. I shall refer to that branch of the subject at a later period of my remarks.

The work which you propose to yourselves, and to which reference was made by the speakers at your late Anniversary celebration, is to be begun with the prisoner. It is he that you must address; it is he that you must reform.

How? By what means? How may he be approached without alarming his pride? How dealt with without wounding what little self-respect is left in him?

First, then, you have permission to *enter* the cell of

the convict. Do that—enter. Stand not at the door; press not against the gratings of the cell, to remind the poor wretch of your freedom and his bondage. Enter easily, as if on an ordinary visit, and place your *client* at ease. You should know his criminal history, so far, at least, as concerns the act for which he is there confined. For two reasons in particular you should know the crime for which he is in prison. *First.* That you may thereby judge something of the character of the convict; and, *Second.* That you may avoid any direct reference to *that* crime.

It is wonderful what shipwrecks “visitors” at prisons have made of their undertakings by direct reference to the act for which the inmate of the cell is suffering.

All visits, I mean all that are made by members of your Society, are for the moral reformation of the prisoner; and these efforts, of course, will be made in the name of religion. That is, almost all will go to the cell of the prisoner with a view of doing him good, go as Christian missionaries; not always, nor even generally, are these visitors clergymen. The laity find in prison a great work, and they enter upon it with as much zeal, and often with as much discretion, and usually with as much success, as do the clergy, (of course, I speak of cell ministrations, and not of preaching;) and hence it is vastly important that, in seeking to press upon the prisoner a renewal of religious observation for the sake of giving permanency to resolves touching improvement in morals, care should be exercised to show a delicacy towards the preconceived religious ideas of the prisoner. It does not do to say that there cannot be much religious

feeling to be injured in the man or woman who has become a fixture in a criminal cell. That is a great mistake. Zeal for denominational distinctions outlives the morals that they should secure. Some of the severest and bloodiest contests known in the convicts' cell have been between two prostitutes, who could not tolerate in each other the profession of different creeds.

In dealing with persons of this kind, it is necessary to respect the very feelings that lead to such outbreaks, and to take care that the approaches of the visitor should not be made in a way, or by language, that might disturb the latent prejudices. These are the beings that the prison visitor is to reform. His work will be poorly done if it awaken jealousy instead of conciliating confidence.

The confidence which is the result of sympathy and respect, must be almost entire. The prisoner that is to profit by the direction of his visitor, must lay open his life and his heart, his experience and his plans, to enable the visitor to judge and advise.

This entire confidence cannot be reposed where there are others to listen; without entire sympathy, or without the exact state of feeling and resolves that mark the man to be directly dealt with. If there are others to witness the interview, to hear the statement, and listen to the advice, the good result of the visitor's labors will be always jeopardized, and nine times out of ten they will be lost by the false shame that makes the prisoner's statement imperfect to the visitor, or he is overwhelmed with the ridicule of unfeeling cell companions.

To insure any hopes of success, then, the prisoner

should be visited in his cell by those who have his confidence, if he has any, and the visit must be made without witnesses. Gentleness must be manifested in dealing with the offender, and wonderful forbearance with his waywardness. Let the visitor who is becoming impatient at the unfruitfulness of his labors, recollect that he assumed his mission to just such a class of persons; and that while he is attempting to pick something from the mass that is before him, he is, and he knew it before he undertook his work, dealing with that which society has sifted and sifted till it would seem that nothing further could be gained; and yet that which may be gained, that which is sometimes gained, is of immortal consideration, of infinite duration and importance. It is this value, it is this eternity of consequence, that moves the visitor towards the work of prison labors. That value never lessens, though the hopes of improving the erring one may diminish.

The question seems to be "Is this a work appointed for man?" The teachings of Christianity assure us an affirmative answer. Failure may be predicted; offences are sure; mortification at relapses is almost certain. But the moral condition of the offender is not less worthy of thought and labor, and even the other inquiry, which delay in fruits too often suggests, viz: "Am I called to such a work?" is to be answered not by the success or want of success which may for a time result from your labors—but by the earnestness that is felt for the work and the interest felt for the object. Undoubtedly there are persons who may excel in adaptation to the work of prison instruction, and there are

those who will learn from their own experience in that field of labor that there are other fields more suited to their qualifications—though the inapplicability of their qualification may often be only their want of patience, perseverance, and heartiness in the work.

Experience shows that while all prisoners are to be treated as erring persons, their condition as prisoners, generally, though not always, shows that it is not best to refer pointedly or frequently to the act for which they stand convicted. The man justly sentenced for burglary is a burglar, undoubtedly, but it will perhaps be enough generally to treat him as a sinner against God, and a violator of human laws. To press the immediate cause of his incarceration will be to irritate him, wound his self-respect, and thus, for a time at least, disqualify him for the reception of good advice.

Care should be taken to have female prisoners visited by persons of their own sex. I am sure that generally a well disposed woman, of energetic character, of evident heartiness in her work, is far more useful among women prisoners than is a man, and the good results of her labors are much more abundant than can be cited in behalf of male instructors among the females.

It seldom happens that a visitor to the prison cell who comprehends the value of the work undertaken, fails to produce an effect upon the feelings of the prisoner, and it usually happens that the unhappy convict yields to the suggestions of his visiting friend, and forms and expresses resolutions to avoid all acts that lead to the prison, and all company that leads to such acts. The hope excited by these manifestations of improved feel-

ings and resolves seems to assume certainty as the repentant convict leaves the cell with resolutions to avoid the temptations to which he has yielded, and to suffer every deprivation beyond the wall of the prison, rather than to incur the risk of renewing his residence within its walls. Men's good wishes and prayers attend such a repentant. What then are the feelings of the devoted visitor as he meets again his favorite client, awaiting in an untried cell the action of the Court in his regard, upon charges of misdemeanor or felony? He desponds, he threatens to give up his labors, and he for a time exclaims that his client, like Ephraim, in the Scriptures, "has joined himself to idols, let him alone." Against this feeling of discouragement I wish to warn your visitors. The failure of the prisoner to realize the hopes that his conduct and conversation had raised, is natural, it is a part of his character. He was a prisoner because he failed in the attempt to discharge the duties of life, and nearly all the *past* repentance in the convict cell are repents not of crime but of detection. Why should he then (when no longer in the way of detection) be supposed to set about discharging the duties of life? The dog will disgust others, and the sow will return to the mire; if one of them does not, there is at least *one* redeemed that would have been lost.

The strong feeling for the prisoner and confidence in his professions, which animate and cheer the visitor to the cell, and reward the labor and sacrifice in the prisoner's behalf, are almost necessary to the adoption of this course of benevolence. The disappointment at the first failure of the convict to redeem his pledge and jus-

tify confidence, is most painful; but the experienced visitor will have learned to make all allowance for the circumstances of his fallen client, and to comfort himself with the reflection that while it is his duty to plant the seed of virtue in the heart of the convict, and to water the germination with tears of loving prayer, it is the prerogative of God to give or withhold the increase, and especially to judge of the circumstances and the time in which the fruit shall be manifest.

The idea of time as an element of success in prison teaching is one of vast importance. Discouragement follows the evidence of failure, and the visitor sees his client return to wrong associations with a sinking hope and a failing confidence in all such labors as he loves. "Who hath believed our report?" he exclaims—and he resolves to seek another means of gratifying philanthropic feelings. This is an error to be avoided. We should never have heard of the "seven times" if it was not a world-wide admittance that man would sin, and we should never have heard of the seventy times seven, if forgiveness—if labor and hope were not to be as perpetual as offence.

Who shall venture to say that this or that monition is useless because as yet it is fruitless? Who shall tell what after-griefs and suffering shall soften the ground above the lessons of love and religion, and allow the forgotten not forbidden seeds to germinate? Man may awaken repentance and induce good resolves in the heart of the prisoner, but he cannot remove, because he cannot foresee, those hindrances to good or those temptations to evil that beset the pathway in freedom

—but “the word fitly spoken,” may and often does linger in the memory, and make itself heard in future difficulties, so that the lesson survives the giver, and produces fruit when seasons of fruitfulness seem to have passed away. Our plans of good are often interrupted even when they are not defeated; and the blessings which we await are rather delayed than denied. To expect immediate results from labors in prison cells is folly. To doubt of ultimate benefit is almost impious.

But even if we never see the work prosper in our hands—if the objects of our labors and our sacrifices show no improvement from our lessons—can we doubt that our labors will be at least subjective, and that we shall have the satisfaction and reward of trying to do good to others.

If the “term” of the convict’s incarceration were to terminate only with his life, one half of the labor, and almost all the solicitude of the visitor, would be spared, and day by day the resolutions of good would acquire force without the temptations of the world at large, and season after season the mind and character would strengthen and purify “more and more unto the perfect day.” But in the midst of careful instruction, and in the formation of good resolves, the term of the imprisonment expires, and the convict goes forth into the world to seek employment among those who know his history too well to grant him confidence, or if among strangers who are ignorant of his crime and its punishment, still to bear within him the consciousness of a conviction for crime, and the constant apprehension that his condition will be discovered and exposed.

Death sets its seal upon the repentance of few in prison. The work of reformation must be consummated beyond the walls, and in the world, and usually among those whose interests are antagonistic to the graduates of a prison, and often, indeed, with those whose stern virtues have no sympathy with the repentant criminal, no confidence in his professions of repentance.

The office of the active member of the Pittsburgh Society is to maintain his connection with the offender when and after he shall have fulfilled the sentence of the law; to watch, aid, and encourage, and when resolutions of virtue seem to shake amid the sneers of the unkind, the coldness of the "unco good," or the failure of little plans of support, then to illustrate the efficacy of those principles, and the power of those lessons that were inculcated in the prison cell, and show that what you would have him adopt, you yourself can practise.

Nine-tenths of all the lessons which the prisoner receives in his cell, and upon which his resolutions are formed, prove wholly ineffectual from the temptations which want and neglect strew in his way when he leaves his cell. Almost all the instances of benefit conferred upon the convict have been when the care of the visitor has been extended beyond the term of imprisonment, or that death has preceded the termination of the sentence; and almost all the instances of failure may, with great reason, be traced to influences of bad cell companions, or the want of a little aid and guidance, when the discharged convict goes forth to test his own strength and the kindness of the world.

I have spoken of the labors of the visitor at the door, or rather within the door of the cell, and of his dealing

with the *individual* prisoner; and I had an object in thus speaking. Long experience has shown to me that little benefit is likely to result from any friendly dealings with two or three prisoners confined in a cell. It is scarcely worth while to state the reasons. Those who have attempted to discharge the duties of a visitor, know how slight is the impression made upon the mind of a prisoner by his visitor when there are other prisoners to listen to the monitions and advice, and condemn and ridicule the efforts to improve, or if, during the presence of the visitor, there should be an appearance of interest in his labors, he will scarcely have left the cell before the sneer, the ridicule, and the indecent comment will have made known to the listening visitor that his light mark upon the mind or conscience of his hearer is readily effaced.

It is alone, and only alone, with his convict client, that the visitor can hope for any permanent success; and even alone, the patience of hope must be exercised, and the lesson of to-day and to-morrow must be repeated with a reiteration that shall ensure some distinctness of impression; and every note, every hint, every suggestion, must be gone over with endearing forbearance by the visitor, that he may produce enduring effect. The Scripture not only prescribes, but in the very form of prescription, it *illustrates*, the mode of teaching prisoners. "Line upon line, line upon line, precept upon precept, precept upon precept, here a little, and there a little!"

But it may be urged that this separate instruction is opposed to social worship, to the ordinary mode of religious instruction on the Sabbath.

I do not mean that the frequent visitation to indi-

vidual prisoners should dispense with the customary labor of the pulpit. The chaplain (as such) may offer up the prayers that are suited to the circumstance of the sinners for whom and with whom he prays; and in thanksgiving, by singing, he may unite the voices, if not the hearts, of the prisoners; and the sermon, which all ought (if they wish) to hear, and in which all have a common interest, may expound the Scripture, and awaken the convict to his dangers and his duties. These social, or rather common dealings with the prisoners by generalities, have done much good, and often assist the visitor in the special dealing. The preachings to the whole gallery often prepare them for instruction in the cell, and the prisoner is thus furnished with questions to his individual teacher, whose answers contain the true spirit of prison instruction.

Among the most commendable features of the Constitution of the State of Pennsylvania is the pardoning power, which places that prerogative in the hands of the Governor. The power of pardon, the right and the duty to step in between the sentence and the sentenced, is one of those wholesome concessions which law has made to the weakness of human nature, and the spirit of humanity. The power may be abused by Executive use or improper motives, but its abuse offers no argument against the right, and the wholesome exercise of that right. The guilty, pardoned, may do well; the innocent, punished, may be driven to wrong. The sentence may be just when pronounced, and its mitigation be equally just at a later period. So many circumstances conspire to justify pardons that it is difficult to decide in any one

case of the convicted felon, that it is not, or may not be a proper case for clemency. For those who are intimate with prison life, who have mingled in the administration of prison affairs, or acquired a knowledge of prison economy by visitation to the cells of convicts, it will not be difficult to comprehend how certain cases change their character by new development of temper, new testimony as it regards facts, and especially as it regards the condition and relations of the convict.

As I am not now arguing in favor of pardons, I need not present instances. I am taking it for granted that pardons are proper, often necessary, and that most of those who visit the Penitentiary and County Prison to promote the benefit of the prisoner, concur in this opinion of the pardoning power, and desire that it should be appropriately, even though frequently, exercised.

What I mean to do, now, is not to argue in favor of the exercise of the pardoning power, but to exhort the "visitor" to avoid invoking the exercise of that power as he would avoid the mortification resulting from a complete failure of his efforts to improve the moral condition of prisoners. It is a delicate matter in any one to interfere between the convict and his punishment. It is dangerous in a visitor to undertake that work. The visitor who listens to the story of his convict client, and shows a disposition to be active or zealous in procuring a pardon, at once closes the door to any valuable usefulness, and invites the prisoner to assume those manners, and affect those dispositions, that are requisite to a prisoner who hopes for pardon on grounds of repentance.

He becomes at once a hypocrite; and the sympathies

of his visitor, his desire to have his client good, prevent him from seeing through the thin veil of the unhappy man who is trying to show great improvement before he can have formed good resolutions, and who is more bent on getting out of prison than out of crime, and who is quite as much a felon in his efforts to obtain a pardon, as he was in his action to deserve a sentence.

The visitor, it has been said, must manifest a strong sympathy with his client, but it must be evident to the latter that the manifestations of sympathy are rather to prevent future crime than to lessen present punishment. It should be the duty of the visitor to make his client understand at once that he has neither the mission nor the wish to promote a pardon; that he is neither a pardon-broker nor a pardon-adviser; that any pretensions on the part of the prisoner to reformation, or resolves on improvement, must look for their reward in the time that shall follow the termination of the sentence, and that the prison ceases to be a place for *improving* the convict, when the assumption of virtuous language, or even incipient virtuous sentiment, can terminate incarceration. The convict did not probably become a felon by the first step in wrong doing; he had degrees in vice even before he became a criminal, and he made advances in crime before he secured to himself a diploma for felony in the judge's sentence and the record of the Court. So, then, let him establish some principle of virtue; let him at least fix some resolution of good before a profession is accepted. The oath that is extorted by pain, by durance, or unreasonable hopes, and strong promises, is not held of great obligation, and its violation

has, by some moralists, and many judges, been regarded as venial. May we not, then, naturally suppose that the profession of repentance, wrung out by confinement in the prison cell, and invited by hope, if not by promise, of a consequent pardon, will fail to be of that kind which is “unto life never to be repented of.”

The duty of the regular visitor for your Society is to make known at once to the client, that these visits, thus begun, have no necessary connection with a pardon, and that all attempts to enlist the visitor in the work of procuring a pardon, if persisted in, must result in the termination of the visits.

The pardon may be right, but it is wrong for a visitor to urge it, wronger still for him to seem to give any hope that even by improvement in character the offender will gain a pardon, at least that such improvement will enlist the visitor in the work of pardon-seeking.

At once let the prisoner understand that the visit is intended to improve his character not release his person. Close every avenue to, and withdraw every motive for, hypocrisy; that debasing quality will destroy or prevent all the benefits of careful instruction, of prayer and patience on the part of the visitor.

It is impossible for the visitor to conceal from himself the fact that he is addressing a criminal—that his auditor is one that has been convicted of some crime against the community, by violating the laws of the land; and the prisoner, though he may not think himself so much worse than many others, as his position would seem to indicate, is conscious of his *status*, and jealous of the few rights left to him. He is a prisoner—the grating of his

cell, the lock on his door, and the treatment of the keeper remind him of that continually. But these are the concomitants of a prison. He submits with as good a will as possible to the inevitable circumstances of imprisonment, and becomes social in his habits and communicative with companions and keeper, but he starts at the advent of a stranger—he throws around himself a chilly atmosphere, and is reticent—or if disposed to conversation, is careful to lead that away from his antecedents, or to protest against the curiosity which, under the plea of humanity, is making itself conversant with what he thinks is entirely his own. He mistakes real interest for impertinence, and refuses to profit by the visitation of the humane, who neglect that delicacy which is necessary to all, especially to the prisoner. The prisoner is in a cell—or rather he is a prisoner, because he has been convicted of crime, and the customs of society allow men to address each other as sinners. The lesson comes with force and bears iteration from a pulpit, but even there special appeals are not tolerated, and he that might go away softened to conviction, to resolve on repentance, by a judicious direction of general commonition, would have his self-respect wounded and his heart hardened into evil resolves, if he but thought that his experience were made special, and he distinguished from others in the congregation of the erring.

This sensitiveness (this pride let it be called) is as abundant in the prison cell as in the church, and he who would approach the prisoner with hopes of improving him, must “respect” that sensitiveness—that pride, and commence his work by winning confidence, rather

than alarming the conscience. But most of all should the visitor in his conversation with, and instruction to, the convict avoid direct reference to the particular crime for which he is a prisoner. If there is a repentance, it includes all—if there is none, the reference to one fault will not avail; though reparation should not be neglected.

It is of vast importance that the visitor possess and manifest great delicacy toward the prisoner, even though he may not find that quality in his client. He must excite attention by gentleness and the appearance of affection, and he must avoid questions that might wound the feelings of the prisoner; but most of all that would create or confirm a suspicion that his visitor is unnecessarily inquisitive—that indeed he has come to “*pump*” rather than console.

It is wonderful to notice how closely the prisoner shuts his mouth upon subjects which he thinks his visitor has presented from improper motives, and it is no less wonderful—it is deeply affecting—to see how the prisoner pours out his heart to his visitor, whenever he has become satisfied of the purity of his motives and the depth of his sympathy. Sorrow, affliction, grief, ask confidence—they find consolation in intimate intercourse. The convict, satisfied that his visitor is sincere and judicious, seeks and improves opportunities to present himself as he was; to give vent to his sorrow by narration, and to open his heart to one who will consent to look into its recesses. How often does the visitor leave the cell with a better knowledge of his client’s history, his social and domestic relations, than any of the poor man’s

neighbors and relatives ever possessed ; and the client himself is consoled by the sympathy he has excited, his burthen seems to be lifted from his shoulders, and transferred, indeed, to the visitor's.

Do people say that "men who need such visitations, such sacrifices from the virtuous, should not be so sensitive with their self-sacrificing visitors," and add, "we think it enough to give our time, our advice, and some of our means, to assist these offenders against the law—we do not choose to humor their morbid taste by any such condescensions ?"

The reply is, "then do not go to the prison, that very requirement which you deem inadmissible, is the *one* that is the *sine qua non* of a visitor's qualifications—indeed without that all others are comparatively valueless.

There are enough who will visit the prisons at their leisure ; who will talk, and perhaps talk generalities very well ; who will give a little money, also, to help the discharged convict; but there is needed the man who will put up with the exigences of an erring man ; who will have patience with his weakness, and endurance with his impenitence ; who will recollect that his mission is to make the prisoner a better man, not to make himself a more noted humanitarian.

Those who confer with convicts, find the unhappy prisoners much occupied with the idea that they have been wronged—wronged by those who testified against them, wronged by the lawyers, who made points unnecessarily strong against them ; wronged by their own attorneys, who neglected many points that they might have taken on their behalf ; wronged by the jury, who

might have allowed much greater weight to certain doubts that the nature of the case and the testimony suggested ; wronged by the judge, who might have satisfied his views of justice (at least *their* views) with half the time included in their sentence, especially when some other convicts received a sentence much more endurable.

It is difficult to dispossess the mind of the prisoner of the strong idea that he has been dealt with too severely, even when he is compelled to admit that he did the act for which he is suffering. Though it is evident that he does not really think that all that is done against him is wrong, perhaps, even to himself he is compelled to admit that most of it is right. We must make some allowance for the almost universal desire of all to seem, even in the worst condition, to believe that they are not so bad as their position would intimate. It is pretty easy, from our acquaintance with the mental habits of convicts, to distinguish between the assumed and the real idea of wrong suffering. The former will soon give way to a steady course on the part of the visitor. The latter must be beaten down, before there can be hope of any considerable improvement.

But in efforts to convince a prisoner that he has erred in his views of his own conduct, and therefore judged wrongly the motives and conduct of those connected with his arrest, trial, and condemnation, the visitor must not neglect one important fact which his own experience in small matters may illustrate, even in his own day, viz., that there was seldom any person convicted of an offence which deserved a prison cell, who did not find

in his heart some mitigation of the crime in the circumstances for which it was committed. It is scarcely worth while to give instances, but we must admit that while almost every imprisoned convict deserves the punishment he is receiving, nearly every one will so state his case, without intentional prevarication or falsehood, as to satisfy you that he might well believe, though his visitor could not, that he could scarcely have avoided the crime for which he suffers, and that, all things considered, he might without any injury to the cause of justice or to society, have been spared most of the infliction which he is compelled to undergo. This feeling, when it does not take too large a range, may be respected, at least it need not be at once combatted. When the general chambers of the mind become enlightened, when the dark recesses, in which lurk the selfishness of our nature, will receive the rays of truth, then the convict will comprehend and confess that the criminal must be tried and punished in this world from the testimony of witnesses, not from the impressions of the accused. In dealing with him alone much may be allowed to the error so common to all. If "the heart knoweth its own bitterness," it may think also that it knows its own motives—it will learn under favorable circumstances and judicious instruction to judge better—but its ignorance need not be insulted.

It will be seen then that the duties and the responsibilities of an appointed visitor to convicted persons are very great. They may be entirely and innocently avoided by declining to accept the appointment, or keeping clear of the assumption thereof; but once assumed,

or once accepted, the visitor may, by earnest, conscientious effort, save some of the unhappy beings to whom he addresses himself, or by even partial neglect he may fail to enforce his lessons—or he may keep from the cell the able and the willing visitor, whose fidelity would accomplish the work which the negligent leaves in a worse state than he found it.

Go in the fear of God and the love of man.

Go with the intention and the hope that the walls of the prison will conceal your labors as much as they do your person.

Go with the firm resolution to bear and forbear with your pupil, till he shall find that virtue does more and better for the human heart than vice.

Go with such self-devotion as shall make the prisoner feel that it is he and not you that is to be benefitted, though it is you as well as he that is to be gratified.

Go with such earnestness of assurance of interest as will make the convict feel that he may rely on your aid beyond the walls of the prison, as he did upon your instructions within its walls—and your instructions within the walls will prove useful for after life, even though there be none to aid without the walls.

## SCOTLAND.

We have received the Report upon the Prisons of Scotland, for the year 1867, and if the prisons of that country have been improved as much as the reports of their administration have been, Scotland would have much to felicitate herself upon—and indeed the reports show a continued improvement in the system of prison management.

The system of prisons seems to be established in that part of the kingdom, and there is a connection among them all, so that there can be a proper classification, not only of convicts in a prison, but of prisons for convicts.

Among the provisions that will particularly arrest the attention of the humane, is that for a proper security of insane criminals.

The tabular statements of the number, character, condition and various classifications of the prisons are greatly improved, and resemble much those of the French prisons, and present a model for Pennsylvania, should the plan of making a Bureau of Prisons and Charities, which we have warmly and persistently urged, ever be carried into operation in this State.

In looking at the statement of the number of prisoners in the several prisons of Scotland, we are struck with the close proximity of the number of females to that of males. Thus the whole number of prisoners in all the prisons of Scotland, for the year, was 26,515, of which more than 10,190 were female.

In the rural portion the proportion of females was small, but in the political, and commercial and manufac-

turing cities or districts the females sometimes outnumber the males. For example, in the year 1867, there were committed on criminal charges, in Edinburgh, 2,600 males, and 3,069 females; and in Glasgow the number of males was 4,429, and females 3,215 on criminal charges.

The year 1867 began (on June the 30th,) with 2,410 convict prisoners in all the prisons of Scotland, and as it regards sex, these were thus divided, 1,298 males, and 1,113 females. The greatest number of criminals at any one time in all the prisons was 754, as follows, 385 males, and 369 females. Looking into the class of repeaters, that is, those who are repeatedly imprisoned, we find the following relation of the sexes: Of those who have been imprisoned twenty times in Edinburgh, 56 were males, and 405 were females; of those who have been imprisoned fifty times, 14 were males, and 206 were females; of all the repeaters from twice to fifty times, there were 1,152 males, and 2,195 females. Though this disproportion of female repeaters obtains in Edinburgh to that extent, yet the tables show that the returns from all the prisons of the repeaters, were 6,276 males, and 6,424 females.

We notice also that there were 91 male juveniles sentenced to WHIPPING.

The reports relative to the sanatory condition of the prisons and of moral and religious instruction are gratifying, where such matters are attended to. The terms of sentence are evidently much longer in nearly every country in the world than in the United States, in Pennsylvania, certainly.

In looking at the costs of the prison, we note that the salaries in the principal prisons are rather larger than are usual in this country. The Governor (warden superintendent) receives £550, which, reduced to dollars and in gold, makes a considerable salary, where the necessities of life are cheaper than in this country. The Chaplain receives £200, the Roman Catholic priest £70, and the Episcopalian £50. The Matron receives £175.

We felt anxious to see how much each prisoner cost the government, and learned from a table, that in the "General, or State" prison at Perth, where there is an average of 733 convicts, the cost is £21 7s. 8d., after deducting profit from labor, sales of old material, &c. In some of the prisons the cost per year is as high as £50.

There seems to be a constant increase in the annual cost of each prisoner, as there is certainly a constant augmentation of their number. Although it would seem that the conduct of prisoners in their cells is marked by some improvement, one of the chief causes is said to be greatly owing to the aptitude of the keepers, who have been long in service.

The mark system seems to find favor with the government of the General Prison in Scotland. This seems to have reference to a license, or ticket-of-leave, and also a gratuity. The laws of Great Britain are more severe, and the sentences much longer than in this country, and hence a resort to the ticket-of-leave. The idea of marks, or a reward for good conduct, is what was contemplated in the Act of Assembly in this State, which the Supreme Court declared unconstitutional, having in view, it is

understood, the circumstances of the case immediately before it.

In looking over some of the rules for the government of the General Prison, we find some that will interest the reader.

The first period of the convict is to be spent in separate confinement, debarred from all intercourse with fellow prisoners at exercise and otherwise.

Gratuities are payable to each *convict* on liberation, not to exceed four pounds.

Each ordinary prisoner is to be allowed, on liberation, five shillings for subsistence-money, and a further sum may be given, not to exceed thirty-five shillings.

There seems to be discrimination with regard to religious scruples. Every prisoner, not specially exempted, shall be required to do ten hours' work each day, (exclusive of meals and instruction,) excepting on Sundays. Those on the Chaplain's list are to be exempted; also, on general fast days; Episcopalians and Roman Catholics on Good Friday and Christmas, and Jews on Saturday.

The dietary seems to be pretty good. Oat meal, potatoes, wheaten bread, some meal, some milk, some fish, of course, on different days, so as to have a variety. The quantity seems also sufficient; so that, if the quality is good, the prisoners may be well fed, if, haply, the cooking is well performed; for it is in prisons, even as in palaces, some good providence sends food, while some less favorable provision is made for cooks.

In the table which contains a view of the outlay connected with the prisoners' labor in the several prisons

of Scotland, and the returns therefor in the last year, we notice, as on the credit side, £3,372 4s. 0½d., as rated to prisoners employed in washing, sewing, and other prison services. Of this sum £924 4s. 10d. are credited to the prison in Glasgow, £520 11s. 9d. to the prison in Edinburgh, and £775 6s. 6d. to the General (or State) prison in Perth. That is 16,862 dollars in gold for that work which, in the County Prison of Philadelphia, is done by the female prisoners without a cent to the credit account.

Among the permanent rules of the General (State) Prison or Penitentiary, we find the following:

“The discipline for ordinary prisoners and convicts on probation period is that of *separation*, each being confined in a separate cell, and debarred from all intercourse with fellow prisoners at exercise and otherwise.”

There is one regulation regarding the officers of the prison which strikes us as eminently proper; it is as follows:

“Sobriety has, of course, a great tendency to support the influence of every officer. The managers would be sorry to suppose it necessary to inquire how the officers conduct themselves in their domestic circle; but it is absolutely necessary that an officer on duty should not only be in a state fit for its performance, but should have no smell of liquor which may be perceptible to the prisoners or his fellow-officers.”

That is a good rule, and we are glad to say that a similar regulation has, within a year, been adopted in the Philadelphia County Prison.

## IRELAND.

We have not received a copy of the latest Irish Prison Report, but that which we have now is the latest that has reached us, and contains some statements and arguments worthy of notice.

The whole number of persons committed to the several County and Borough Jails, in Ireland, in 1865, was 32,739, of which number 18,507 were males, and 14,232 females. Of these commitments, 8,773 were drunkards, viz: 4,407 males, and 4,366 females. There were committed 484 male and 271 female dangerous lunatics.

Of those who had been committed several times, the sexes are as follows: first commitment, 11,690 males; 3,999 females. Second commitment, 2,017 males; 1,279 females. Third commitment, 778 males; 631 females. Fourth, 452 males; 375 females. After the fifth commitment, the number of females exceed that of the males, so that at twenty-one times it stands males 82, females 432.

In looking over the statement of the prison in the County of Dublin, we notice that the annual rate cost of maintaining a prisoner increased a little, the latest statement being £29 18s. 10d. The salaries are very low.

In the City of Dublin Female Penitentiary we have a statement of the repetition of commitments within *one* year. Eleven women were committed 14 times. Four 20 times, and *one* 42 times in one year. She must have liked the place or that which led to it.

**It is worthy of remark that in this prison, viz., the**

**City of Dublin Female Penitentiary, Grangegorma,** the highest number of prisoners at any one time in the year was 266. There are forty (40) salaried officers.

The statements to which we have been referring relate to the administration of the County and Borough Jails of Ireland. We notice in other parts of the Journal the practical bearing of the Irish system.

It may be proper here to note that the information contained in these Scotch and Irish Reports more directly concern the administration of prisons, and hence must be interesting to Inspectors and Keepers of Prisons everywhere. But we would specially add that we wish a copy of these Reports could be placed in the hands of every member of the State Legislature. They show what can be done and how it ought to be done.

---

## **PRIMARY JUSTICE.**

If we have occasion to be gratified at the co-operation of others in the labors which we have had in hand so many years, and to rejoice in the fulfilment of our plans—at least our wishes in many things, and in many places—especially at the growing interest in the subject of Prison Discipline in our own State, we are not without cause of regret that the progress of improvement is so slow that many evils touching seriously and injuriously the citizen, so extensively as to be a public grievance, remain yet uncorrected, scarcely reached, indeed

by any effort at improvement, though they must be met in time by the rising tide of public philanthropy.

In some things the law is far ahead of practice, in others the practice leads legislative action.

The law is explicit as it regards the separate confinement of convicts, yet three and four convicts are found in the same cell in our county prisons, and two at least in the Eastern, more, perhaps, in the Western Penitentiary. The law rather permits than provides means for ameliorating the condition of prisoners. Private and associate efforts are doing much in that direction, and are only hindered by the inability to reach effectively the prisoner. But the primary place of justice, the magistrate's office, is the same. The man is by election made a magistrate that he may enjoy the profits of the office. The honors are not now very considerable. And when he has incurred the expense of preparing his "office-room," and taken upon himself the weight of "rent," and perhaps relinquished some moderately remunerative trade or pursuit, he naturally—he necessarily, perhaps, looks around to see how these expenses are to be met, and himself and family maintained. The way is before him—he must have official business—he must commit, not settle—he must have costs as he has no salary, and it is rather more than most people can be expected to do, to send away the complaint without the fee—or to settle a case without costs, when both fee and costs are legal.

We are not of those who think that the aldermen are censurable for taking costs, and "binding over," or "committing;" they have the oath, which certainly jus-

tifies, if indeed it may not enjoin this action. Many of the aldermen are respectable and humane citizens. They do less evil and more good than would many others who condemn their conduct and would occupy their places. But some of them, respectable and humane as they are, perpetuate the evil, of which so much complaint is made. They have a right to fix the costs, &c., the law allows and their families require it. The law should not allow them to have costs. The remedy is difficult and remote—the evil lies chiefly in the Constitution of the State. But correction is possible, and when a few respectable and humane citizens, of sound judgment and good discretion, can be commissioned to take charge of the police stations, and hold there or somewhere else their courts, with some discriminating powers, and a good, living salary, without a single cent derivable officially from any other source, then we may hope to see the great evil remedied.

It is generally supposed that men of less mental power would answer the purpose of police magistrates, than are required for judges of the Court of Sessions. We scarcely agree in that opinion. Less law is needed. We do not know that a police magistrate need be what is termed "learned in the law:" therein he must rank below the Judge—but the police magistrate must add to a habit of discrimination, an ability to judge of the character of his prisoner, and a sound, extraordinary discretion, to discriminate between the habits, condition and circumstances of those before him. If guilty, the Judge must pronounce a sentence, mitigated, of course, by circumstances, but even when the magistrate believes

the prisoner guilty of the particular act charged, he ought to be able so to arrange his decision as to avoid, if that is best, the severest action which the prosecutor invokes.

---

## OBITUARY.

### ISAAC BARTON.

In our last year's number we expressed a confidence that the future numbers of this Journal could scarcely fail of an obituary record, and we are not likely to fail in our prediction. Death has within the year of which we record our doings and our sufferings, taken from us a member who seemed moulded to the most gentle uses of his kind, and qualified by nature and by grace for the labors of the best branch of our duties.

ISAAC BARTON, a merchant of this city, and long a useful and respected member of this Society, died in the month of April, 1868. His life was one of gentleness and usefulness. As a merchant, as a citizen, and as a philanthropist, he was successful in acquiring wealth, respectability, and gratitude. He died peacefully—hopefully, and his bequests to the Society showed how much he was attached to the principles upon which it was founded, and how practicable he regarded its plans of usefulness. The Society made a record of its appreciation of its loss in the death of such a member,

and while it gratefully receives his legacy of money, it valued greatly his encouraging presence, and esteems of unspeakable price his legacy of approbation of its plans and labors.

We subjoin a record of proceedings:

At a stated meeting of the Acting Committee, held Fifth Month 21st, 1868, the following memorial and resolution, in relation to ISAAC BARTON, offered by Joseph R. Chandler, was unanimously adopted.

It is a part of the providence of God that in the midst of our pursuits, whether of business or of philanthropy, we should be occasionally aroused to the solemn truth that our lives are held by a feeble and constantly weakening tenure; and the labors in which we are engaged are of little consequence to us, unless they may, by their consequences be connected with that state in which the tenure of existence is fixed and permanent.

Such a monition the members of this Society have had in the recent death of Isaac Barton, whose presence in our midst was wont to be an encouragement to additional good resolves, and whose services were always examples of cheerful sacrifice and faithful labor in the cause of pure humanity.

Mr. Barton was for many years a member of this Society, to which he was attached less by his love of social intercourse than by his deep practical sympathy in the motives of the Association, and his hearty assent to the plans and means by which the Society seeks to secure its ends.

Mr. Barton was known in the circle of commerce as a business man of that sound discretion and consistent

devotion that seldom fail of success; and especially of that strict integrity which makes success valuable to Society by illustrating the dependence of permanent success upon established integrity.

To Mr. Barton's fair standing in Society it is not necessary now to refer, excepting as that good standing reflected credit upon all his associations, and served to show how compatible is active Christian philanthropy with prosperous business pursuits. But it is of Isaac Barton as a member of this Society that it is proper at this time and in this place to speak; and it is our loss in his death that we have to lament. A loss not only of the pleasure of personal intercourse with one so gentle and so devoted, but especially the loss which the cause of sound philanthropy and the direction of prison discipline sustains in the withdrawal of his co-operation from the good work, and of the encouragement of his approval which lightened the labors of his co-workers.

Most of us remember the moderate counsels of our deceased member, and his gentle but effective advocacy of measures that he regarded as right—right, not always from his own experience, but often because they were recommended by those whose services he honored, and whose integrity of purpose warranted the confidence which he reposed in their greater experience, even to the relinquishment of his own propositions—for Isaac Barton was not only a philanthropist and an honest man, but he was, in the fullest sense of that word, a modest man. Fixed and sincere in his principles, but yielding and compliant in their application, gentle in the advocacy of his views, earnest and energetic in the execution

of whatever plan he resolved to aid, clear and prompt in the expression of his appreciation of any measure, he never failed of courtesy to those who might advance and defend varient propositions.

The withdrawal of such a man from the institutions of benevolence which he so honored, is an occasion of personal and social regret, and in that general regret the "Society for Alleviating the Miseries of Public Prisons," believing that it has unusual cause, makes herewith profession of special and deep participation, and thinks that it does service to the cause of humanity when it proclaims its appreciation of the quiet and unobtrusive services of so good a man; and it does nothing more than simple justice to the feelings of every member of the Association, when it places on record its profound respect for the active virtues and pure life of Isaac Barton, and its deep regret at the death of so worthy a member.

Mr Barton, as a token of his respect for the objects of this Society, and his approval of its use of means, bequeathed a goodly sum to aid in the work of ameliorating the miseries of public prisons. While accepting the bequest with gratitude to God for putting it into the heart of the deceased to continue his good works even after his death, the Society is rather gratified than surprised at the bequest, because "the liberal man deviseth liberal things."

*Resolved.* That this short memorial be spread at large upon the record of the evening's proceedings, and that a copy thereof be transmitted to the representatives of Mr. Barton as a token of the respect which the members entertain for the beautiful life of the deceased, and as an evidence of deep sympathy in the sorrow of his bereaved friends.

## OTHER SOCIETIES AND EFFORTS.

We learn with pleasure that the spirit which actuated our fellow-citizens in several counties of this State to establish "Prison Societies" under various names, but with the end of aiding to alleviate the miseries of public prisons, and improving the lives of prisoners, has not ceased to be profitable in stimulating the members to good words and works in promoting the great and good objects for which they associate.

We are glad to state that a society, recently formed in Wilmington, (Del.,) has commenced its labors with enlarged views of usefulness in both branches of the work that belongs to Prison Societies. It has its members busy in the cells of the prisons, and it has its Committee active in trying to procure from the State Legislature the establishment of a system for their penal and charitable institutions, and the erection of a State Penitentiary.

There is in Delaware ample grounds for labor; and any well directed action there is certain to produce favorable changes. When once a "system" for the administration and responsibility of public prisons, from a penitentiary to the lock-up house shall have been established, modifications of penal laws will follow. Surety of punishment is a better preventive than cruelty, and the reform of the criminal is of more value to the community than his punishment. The great object is to have the reform a consequence of the punishment; Delaware continues the old system of whipping and

the pillory. The advocates of that punishment seem to think that they deter the incipient rogue from doing more wrong, (not often, we think,) or they say that the lash and the pillory, will at least prevent the offender from committing depredations within the operation of such penal statutes. If that is really so, and the man who smarts under the legal cat-o'-nine-tails of Delaware comes no nearer his old theatre of action than Philadelphia or Baltimore for fear of a renewal of the punishment, then it would seem that Delaware has a sort of ticket-of leave by which she drives (or aids) her convicts to follow their depredations beyond her territorial limits.

---

## INDIVIDUAL WORK.

### RICHMOND (VA.) PRISON.

Among those who have done honor to our Society by their disinterested and efficient labors in the cause of alleviating the miseries of public prisons, may be reckoned as eminently prominent, Jeremiah Willits, Esq., a record of whose observations on visiting prisons and almshouses has several times appeared in our Journal. Mr. Willits, in 1867, moved from this city to Richmond, Va., but *cœlum, non animam mutat*—he changed his residence, but not his habits, and among the earliest of his visits in the capital of Virginia, was one to the prison of that city. A letter which Mr. Willits recently

addressed to the President of this Society, shows what he found in the prison and what he felt it his duty to undertake, and how he advanced in the work :

RICHMOND, Eleventh Month 13th, 1868.

*James J. Barclay, President, &c.*

In 1867, having settled in Richmond, I received a permit from Governor Pierpoint to make regular visits at the Penitentiary, with the object of instructing those prisoners who were willing to receive instruction. Upon first entering on my volunteer duties, it was evident there had been much labor extended in re-organizing, rebuilding, and repairing the waste places, yet very defective in cleanliness and comfort. Some overrun with vermin, some of the cells so open, and without fires in the winter, the inmates complained of being frost-bitten and rheumatic, the cause of which was in some measure remedied when attention was called to it. I was received and aided by the then Superintendent with much kindness and fellow feeling. He gave me the keys, to have free access to all the cells, which opened to me a field of labor unlooked for. More than three-fourths of the inmates were colored, and mostly freedmen, without the knowledge of letters, numbering altogether over 400—many of the white as well as colored were uneducated. We were indebted, in our first effort, to the American Tract Society, for Primers, Spelling Books, Testaments, and Tracts, liberally bestowed, which were distributed in the cells, and where one was found among them who knew his letters, or could read, he was appointed teacher of the others. It was interesting to witness their eager pursuit of learning. In a few months numbers could read intelligibly. Application was then made to the Bible Society for Bibles and Testaments. The Governor, and Superintendent Pendleton signed the application. The number—I think three hundred—was promptly supplied with fifty copies of the New Testament, of large type, through the instrumentality of J. B. Crenshaw, which are placed with those who have defective vision.

To the Freedmen's Bureau we are indebted for three hundred Spelling Books. Our teaching heretofore had been from cell to

cell, but the material placed in our hands induced us to open on a larger scale—a Sabbath afternoon School was suggested, and Superintendent Pendleton joined heartily in it, and gave his personal aid on the opening. Having a fear of bringing too many prisoners into one collection, thought it prudent not to have more than forty to sixty brought into School the same day. The same policy was pursued when Ministers of the Gospel visited there. But subsequent experiments by the new Superintendent, B. Wardwell, has proven his mistake. He, a whole-hearted philanthropist, an original character in the field, has worked up a reform which I trust will redound to his praise, not only here but in other similar institutions. The introduction of cleanliness, which is akin to godliness, was the first step, through white-wash, paint, and other appliances in the cells, made them places of comfort. The walks ornamented with vines and shrubbery, giving an air of cheerfulness—with a kind word to the prisoner are auxiliaries in the reform of the criminal, and renew in him a self-respect, and hope that all is not lost with him. In this place the prisoners are brought, not by fifties, but the whole four hundred or more at the same time, to hear words of kindness addressed to them. Then, on Sabbath afternoon, they are collected in a large room, fitted up for a place of worship, with seats and chairs of their own manufacture, to seat the whole. The order and decorum there are praiseworthy. There seems to be combined in the person of B. Wardwell, that of Superintendent, Moral Instructor, the Friend of Prisoners, and Teacher, with firmness to maintain discipline, and order in carrying out the objects of a Penitentiary, keeping an eye to a higher object, that of a School of Reform. Teachers from outside are invited to attend, and many among the prisoners are rendering valuable assistance. The Bibles and Testaments donated are used as class-books and spelling-books for the spelling-class, making the best of the material at our command. We are greatly in need of Readers, Slates, &c., which we hope some benevolent body may supply. A benevolent individual has started a library, presenting eighty volumes, which has been increased by others, making at present over one hundred, but they are of a standard of literature too high for common readers. If some of our prisoners' friends would be so kind as to send us some

of their books, that are but little appreciated in their families, they would be doing a good work in the right time, and a sum of money collected and invested in suitable books for our Library, will meet the thankful acknowledgment of thy friend,

#### JEREMIAH WILLITS.

Since writing the above we have received a partial supply of Slates and Readers, through our kind friend, Richard Cadbury.

---

#### MAHLON H. DICKINSON.

Beside the operations of societies and individuals, already referred to, we have to note with pleasure that Mr. Mahlon H. Dickinson, in 186<sup>1</sup>, renewed his visitations to the prisons and almshouses of the State, and while he found the same evils which he noted and condemned in his former report, as existing in some of the prisons and almshouses, he met with occasions to applaud the well directed philanthropy in some counties, by which the true spirit of Pennsylvania laws is likely to be obeyed.

With reference to the insane, Mr. Dickinson, in his report to the Governor, after noting the miserable prisons, says :

I find that the same short-sighted economy that fails to provide hospitals and almshouses for the unfortunate, prevails in the construction and management of the prisons of these counties.

It is in the cells of these miserable hovels that the insane are confined.

There being no other place provided for them, they are handed over to the care of the county jailor, who, from want of experience, cannot give them proper attention, and the treatment they require, which adds to the sufferings caused by their disease, the *punishment* inflicted upon the vilest criminal confined within its gloomy precincts.

The evils resulting from such a system, I know from personal observation are great, and a remedy should be applied. I believe that nothing short of Legislative enactment will ever reach them, or effect reform.

I would, therefore, respectfully call the attention of your Excellency, and through you that of the State Legislature, to the great necessity that exists for enacting laws to remedy these evils, by compelling these counties to provide comfortable places for their insane and imbecile poor.

Blair County has substituted a well planned and carefully built prison for the wretched limestone house which was recently noticed.

So also Lycoming County is doing its duty in the erection and near completion of an appropriate prison.

Northampton is doing the same good work. Mr. D. thinks the new prison is the best yet constructed.

Mr. D. thus speaks of Lehigh County:

In August last I visited the prison now being erected at Allentown, Lehigh County. Mr. G. A. Auchbach is the architect who designed the building, and is superintending the work.

The main features of this prison are strictly in accordance with those recently erected in other parts of the State where the authorities *honestly* intend to enforce the discipline called for by the laws of the Commonwealth.

The ground upon which this building stands is well chosen, there being ample space around it for a free circulation of air, and good ventilation, with excellent facilities for drainage. The material

used in its construction is of superior quality, and the workmanship, especially the masonry, of the most substantial character.

---

## DR. OURT.

Our zealous and judicious fellow-laborer, H. J. Ourt, M. D., employed a part of his holiday in search of information, in a large number of the prisons in the eastern part of this State, and the report of his visitation was read to the Society, to the instruction and gratification of the audience. Dr. O. is connected with the administration of the Eastern Penitentiary, and knows what are the requisites for a good prison, and how it ought to be administered. His minute examination into the condition of some of the penal institutions of this part of the State showed him, and through him taught us, what is the real deficiency of our prison construction and management. And his collection and presentation of prison statistics manifest his great ability for that particular branch of our inquiries.

It is a source of constant gratification that while social efforts are continued and profitable, there is a zeal and a love for the work that take the individual to scenes where separate labor supplements the good results of associated operation.

## CONCLUSION.

While we seek with earnestness to enlist the law-makers of the State in efforts to make penal and charitable institutions a subject of legislation, so that there may be concentrated and profitable action, we are no less anxious to ensure the co-operation of societies in various parts of the Commonwealth, so that the efforts toward the end of the good work may be as effective as the work itself is important. We believe our labors in these directions will be crowned with success, not, perhaps, to the extent that we desire, and which we think due to the great interest involved in the movement. But both of these ends, or rather both of these means, leading to one great and good end, require other hands than ours—the correction and reformation of public opinion, and a new spirit of active philanthropy, to which we can only minister—not create nor extensively direct—we therefore must await the slow working toward these objects, though they are ours, a part of our system, and cherished objects in all our efforts. But there is one branch of our labor that we can pursue without any additional legislative aid—without the concurrence of a single auxiliary or corresponding society; we can seek to ameliorate the condition of the prisoners within the reach of our committees; we can carry lessons of moral truth to the cells, and utter them in their hearing; we can go and whisper into their ears, and apply to their hearts the consolation of sympathy

and kindness, and open up to them the avenues of virtue, which are also those of hope.

The Legislature of the State may refuse such action as shall make easy the work of administering prisons and almshouses, and men may decline the associated labor of philanthropy—but we have a work before us that can only fail with the general spread of virtue, or can only be useless when the vicious are entirely irreclaimable. The tenant of the cell may be concerned in the question of the Irish or the Pennsylvania system, but, pending action on either, the poor wretch is deeply interested in the lesson of humanity and grace that may be given to him without regard to system, though, of course, to be more acceptable and therefore more efficacious when he is the single recipient.

While we shall not neglect any of the branches of philanthropy which belong to our Society, we shall, under all discouragement, and awaiting any discussion, feel that nothing can lessen to us the duty of visiting those sick and in prison. While such exist, nothing will prevent us when able from discharging that duty, while the door of the prison is open to our visitors.

We ought to have a more abundant harvest from our culture in the reformed ex-convicts that we meet abroad; if that harvest is not so joyful from abundance as we could wish, we may rejoice in the sheaves that *are* vouchsafed. But we have a reward in the pleasure which the prisoner manifests in the presence of the Visitor; we have a reward in the new development of virtue that errors had long concealed, and we ought to find a rich reward in the sense of a duty undertaken, even

though not fully discharged. The Good Samaritan was celebrated, his fame embalmed, in the commendation of the Saviour, not because the “certain man” was cured by his ministrations and liberality, but because of those ministrations and that liberality.

While we, as a Society, express hearty thanks to those of our members who have persisted in their visits to the prisons, and in pursuance of the plans of the Society and of its directions have carried consolation and instruction into the prison cells—we call upon those thus laboring to persist in their good works, and we invite others into the fellowship of sympathy with the erring and of sacrifice for the punished.

Our heads may be silvered or bared by age, or our hands palsied or weakened by infirmities—we may pause in the pathway of duty—but the duty exists, the pathway remains. Who shall tread the latter that they may discharge the former?

God will provide—we believe—because we believe that it is a work which he approves. If the sin of felony and vice is to abound, the grace of charity toward the felon and the vicious will much more abound.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*

# The Pennsylvania System.

---

CELEBRATION OF THE ANNIVERSARY

OF THE

## Philadelphia Society

FOR

ALLEVIATING THE MISERIES OF PUBLIC PRISONS,

HELD AT THE

ASSEMBLY BUILDING,

ON THE

8th January, 1869.

~~Dear~~ The System of Separate Confinement of Convicts considered as an  
essential element of improvement.

PUBLISHED BY ORDER OF THE SOCIETY.



## PRISON SOCIETY ANNIVERSARY.

---

A meeting of the Philadelphia Society for Alleviating the Miseries of Public Prisons, was held at the Assembly Building, on Friday evening, the 8th of January, 1869, to which the public was invited.

At the hour appointed, the President took the Chair, and opened the meeting with the following remarks:

We meet this evening to hear a discussion on a most important question—our *Prison Discipline*. Prior to the year 1787 our Penal Code was severe, several crimes were capitally punished, and we had the *whipping-post*, the *dungeon*, and the *gibbet*. The discipline of our prisons was shocking; no proper classification among the prisoners—the young and the old, the novice in crime and the most hardened offender, were herded together in one promiscuous mass. The male convicts were employed in cleaning the streets, and to prevent their escape, were chained. They were called “Wheelbarrow Men.” At one time a keeper of our prison permitted some of the most desperate convicts to go out at night, to prey upon the community. It was obvious that there was great need of reformation, and a number of philanthropic individuals, (among whom the venerable Bishop White, Judge Bradford, and Dr. Benjamin Rush took a distinguished part,) founded this Society. Active and en-

ergetic measures were adopted to ameliorate the Penal Law, and reform the discipline of the Prison.

These measures were successful, and great modifications were made in the Penal Laws in 1790 and 1794. The improvements in the condition of the Penitentiary were such as attracted general attention, and the Jail of Philadelphia was considered a model prison.

But it became obvious to those intimately acquainted with the system, that it was radically wrong; that there could be little hope of reformation where the prisoners were allowed to associate together—where the young and comparatively innocent prisoner, was the companion of the adept in crime; when one who on leaving the jail was disposed to do well, could easily be recognized by hundreds of his former companions; that under this system many of the prisoners were worse men on their discharge than they were when they entered the prison. After carefully watching the results, and mature reflection, the members of the Society became fully satisfied that the complete separation of the prisoners from each other, that intercourse with virtuous persons, suitable labor, and proper attention to the health of the prisoners, would prove the most efficacious means of reforming them. Under this impression, the Society used their earnest efforts to procure a change in the mode of Prison Discipline. These efforts were eventually crowned with success, and in 1829 the Eastern Penitentiary was opened. Nearly forty years have now elapsed since that event, and we confidently appeal to the records of this Institution to show the great advantages that have been obtained under the Pennsylvania System. That the system has been misunderstood is true, that by many it has been supposed to be solitary, is also true. It never has been solitary. We do not claim perfection for this system, but we have no hesitation in saying that it is, as regards the community, more efficient, and as regards the prisoner, more humane than any other. By it more are restored to society, and more deterred from the commission of crime, than by any other system. With regard

to the prisoner himself, is it not far more humane to place him in a comfortable room, well lighted, ventilated and warmed—withdrawn from vicious association ; if ignorant, instructed ; provided with suitable books, and visited by kind and virtuous persons, interested in his welfare ; encouraged in his good resolutions, the path of rectitude shown to be the path to happiness ? If not improved himself during his sojourn within the prison, he has had no opportunity of making others worse, by his evil counsel or example. When he leaves the jail his health has been improved ; for neither the physical or mental condition of the prisoners is deteriorated by the separate system. Compare the health of the Eastern Penitentiary with that of any other prison, and judge for yourselves. No lunatic asylum has been erected in Pennsylvania for insane criminals, as has been the case in New York. We do not mean to say we have no insane prisoners, but we do say the Pennsylvania System does not develop insanity more than any other system. The prisoner, on his discharge, if disposed to do well, cannot have his path crossed by those who have been confined at the same time that he was, for they do not know each other. I have not time to enter into details, nor will I detain you longer, as you will be addressed by some of our most distinguished fellow-citizens, who will give you their views on this subject, and from their experience, intelligence, and high position, their views cannot fail to have great weight with you. I have now the pleasure of introducing the Hon. Joseph R. Chandler.

Mr. CHANDLER said :

The progress of efforts to alleviate the miseries of public prisons, as they have found an exponent in the Society which holds an anniversary meeting this evening, has been happily and instructively set forth in the opening address of the President, Mr. Barclay.

It would well repay the labor of a philanthropist to inquire into the progress of prison construction and prison usages. Men

were imprisoned first to gratify the vengeance of a violated law, and show that the law might not be violated. Then came the idea of alleviating the physical suffering of the incarcerated, and in the progress of the work, his moral condition came to be regarded, and finally there was inaugurated the idea of restoring to society the member that crime had withdrawn, and making him an agent in social order, then the inquiry into the best means of making imprisonment a means of improvement of the convict, as it was at first intended to be a punishment—to make the law a schoolmaster, to bring the offenders not only to justice but to goodness; and hence results the idea of separating the criminal from all evil association—that in confining him in prison he shall come out from all evil companions and be separate. That is the Pennsylvania system. That is the work of the Society that led to the erection of the Eastern Penitentiary in this city. The system acquired hence the name of the Pennsylvania system, and also in Germany the first prison erected on the plan of separate confinement, was called “the Pennsylvania Penitentiary.” A second Penitentiary in this State was erected in the western part, near Pittsburgh, and built for and opened on the plan of separate confinement. And elsewhere in the country the Pennsylvania plan was adopted.

But from one or two causes, which I will not notice, there were proclaimed objections to the system. I will notice one or two of these objections.

It was said, and has lately been repeated, that the separate confinement, “the solitary incarceration” of prisoners, tends towards weakening their mental powers and impairing their intellects.

Surely that is rather a new doctrine—that retirement and “contemplation, her sedate compeer,” should injure the mental faculties. All experience, all philosophy teaches differently—and if any one will visit the Penitentiaries and inquire about the skill of the long confined inmates, they will learn that nothing is

lost of the acquisition of other times, and that intellect has been sharpened by the chance of exercising it alone.

But it is said that INSANITY is superinduced by the "solitary confinement" imposed by the Pennsylvania system.

This, sir, is a question of *fact*, not fancy. Have the inmates of the Eastern Penitentiary furnished an undue number of cases of insanity; more, I mean, than are found in prisons where the congregate system is applied? I answer, after having made inquiry, "It has not." The per centage is less, much less, and where my attention has been most directed, viz: to the County Prison, of all those who have been kept in separate cells, having no association with other convicts, only one has manifested derangement of intellect, and with him it is hereditary, and he was deranged when he committed the crime for which he is now imprisoned.

Insanity occurs in all prisons and under all circumstances. Generally the insanity comes early, not late, in the imprisonment. It is the result of a withdrawal from unlawful gratifications, as *mania a potu* follows a sudden abstinence from an extravagant use of intoxicating drinks. Insanity, I repeat, is to be found in prisons as elsewhere, but not so much in prisons where the Pennsylvania system prevails, as in those where is practised the congregate system. People err in confounding sequence with consequence.

Another charge against the Pennsylvania system is that it is CRUEL.

"It is cruel," it is said, "to take a man from intercourse with society, of which he has long been a member, and in which he has found his means of happiness, and to shut him up, 'solitary and alone;' to debar him the pleasure of seeing 'the human face divine;' to forbid 'the voice of friend or kinsman to breathe through his lattice.'" SOLITUDE, they say, is a cruel exercise of power, and too severe a punishment of crime.

Words, Mr. President, are potent things, and when misapplied are often very mischievous. The term "Solitary," as applied to

the Pennsylvania system, is not only a misnomer, but it is a libel. Such a word exists indeed in the statute book, but it is only one of those redundancies which law-makers allow themselves to use. It exists, I say, in the books, and therefore is heard from the bench when the judge sentences the convict; but there it ceases, no one is ever sent to "solitary confinement."

Is that confinement solitary, Mr. President, which is twice or thrice a day broken by the visits of the prison officer? Is that confinement solitary which is enlivened by the presence of some member of the Acting Committee of this Society, who, by a law of the State, may enter every one of the cells of our prisons at their pleasure, and who, by an order of the Society, must make frequent, regular visitations thereto?

Is that confinement solitary which can be enlightened and peopled by the presence of friends and kinspeople; by father, mother, sister, brother, wife and children? Can that confinement be solitary which is cheered and blessed by the presence of moral and religious instructors, where even the religious creed of the prisoner is consulted in the selection of those who are to enter the cells? Solitary! rather separate, Mr. President. Separate—but even when separate—only separate from the companionship of those who having also been convicted of crime might harden their fellow convict into bad resolves, and forestall all efforts towards moral improvement. And let me say here that this "separation" is highly applauded by all the convicts who wish that their present imprisonment may be the last they may deserve.

I do not like to quote from my own experience when I am arguing upon a principle, but I beg leave to cite an instance of very recent occurrence.

On making the rounds of the male convict block, a few days since, I stopped at a cell that contained two prisoners. I put the usual questions about "fare" and "treatment," to one—the oldest—and obtained a satisfactory reply. Then another, a good-looking young man presented himself, and to my questions about

the conduct of his keepers and the quality of his food, his reply was : " Mr. Inspector, I have nothing to say about food or treatment—the former is good enough for a criminal, and the latter is as good as others will allow it to be—but what is the quality of food, or what is a hard word more or less, to one who would, if he could, mature here a plan of a better life, so as to have a little self-respect for resolutions of future good ? By what right, sir, am I shut up with another man ? By what law am I to be diverted from every good intention, and feel when I get out of this prison that I may any day be insulted and perhaps ruined by recognition and companionship of the man whom you have thrust into the cell with me ? I am here suffering imprisonment for violating a law of the State. What is to be done to those who violate another law of the Commonwealth, in shutting me up with another convict ? "

That man, ladies and gentlemen, had a view not only of the wrongs he had done to others, but of the wrongs which others were doing to him. He was no advocate for congregate imprisonment, because he wished his to be an improving imprisonment.

I will not now detain you from better speakers, by arguing the great advantage of separate confinement. History, experience, and even fancy, present incidents of the danger of a reformed convict being driven back to crime by the unexpected appearance of one of his old prison companions in congregate confinement. Permit me to present to you an instance of the direct good experienced of keeping prisoners from any knowledge of each other in prison.

It is only a few days since that a person had occasion to speak to one of his employees, in a very humble position—who had been an inmate of the Penitentiary while the employer was a " visitor " there—after a little conversation, a well-dressed person came up and drew the gentleman into conversation, and when both interviews were completed, the gentleman recalled, if he had not recollect ed it before, that the latest arrived man had

also been a tenant in the Penitentiary at the same time with the other, and within forty feet of him, for two years. Neither of the ex-convicts suspected the other of having been in prison, and no one but the ex-visitor knew of their former condition. Both are doing well in their way.

The entire failure of the congregate system in this country (excepting where money can be made), has led to various schemes of prison discipline. I have not time to notice them now at any length, but there is one that seems to have taken hold of the public mind more than any other, and in some points it is worthy of favor. It has had a certain degree of success to recommend it, but that success is rather due to the thoroughness of its administration, than to the excellence of *all* its parts, and especially of that part which may be regarded as its distinctive characteristic. I allude to what is called the "IRISH SYSTEM." The *system* is rather French—the *practice* is Irish,

The first feature of the "Irish system," is admirable; it consists of separate confinement for a long time attended with some unnecessary severity, neither desirable nor profitable. But the whole success of the system rests on separate confinement, and when the administration departs from that, as it does, after some years of incarceration, the failure commences, in spite of the administration, which is careful, good, and may be good producing.

The prisoner is able, by good conduct, to earn a reduction of his time, in each division, so that a period of fifteen years awarded to a convict, may, by his good conduct be reduced to twelve years. Another stage in the progress of a convict, in the "Irish Penitentiary," releases him from separate confinement—the very means by which his improvement had been secured—and permits him to associate with others charged with felony like himself, when however good conduct is available to secure another reduction of time.

Another stage is that which places it in the power of the convict to leave the prison house, and go out into the world and ob-

tain work if he can. He takes with him "a ticket-of-leave" to be absent from the prison so that if he should be apprehended as an escaped convict, he might have it in his power to establish his right to be abroad.

Now, all this *seems* well and part of it *is* excellent. But if the first term is made so beneficial by separating the convict from his fellow prisoners, why incur the risk, in the other stages of confinement; why risk the chance, the almost certainty of destroying the good resolutions formed, and by the association with old offenders, to become ten-fold more a child of crime than he had been. Not to manifest his relapse of resolution, of course, —that would lengthen his term of imprisonment—but to make such compact with others as will on their release, insure the better fulfillment of plans of mischief.

It is stated by the advocates of this system that "this freedom from restraint—this permission to go abroad and mingle with the world, serve to try the character of the convict's repentance, and accustom him to the *uses of the world*."

That would be a tolerably good experiment if the convict was for the first time to see the world and the world's people, after his partial release from prison restraints. But these men and women know more of "the world and the things of the world," than do the excellent people who are trying to inure their minds to social intercourse. The time spent abroad would be better employed in fixing good resolves in the separate cell, when the mind has been partially illumined, and needs time and reflection to accustom it to the contemplation of its duties to itself, to man, and to God.

This "ticket of leave" is dwelt on strongly in Ireland and Great Britain as an admirable means of inducing good conduct in the prisoner. The reports of the prison officer, by whom this system is administered, declare that the ticket-of-leave men get work, and earn a little money, enough to pay their passage to America or Australia, and immediately leave Ireland.

Among the arguments in favor of the ticket-of-leave is one

founded on the assertion that these time graduates of the penitentiary find ready employment in the large factories and iron-works in the vicinity, even when it is known they are still undergoing punishment for felonies; nay, it is asserted that they are employed because they are thus held, and because they have been convicted of crime, and having had the benefit of the penitentiary discipline, and having been partially released, they are taken in preference to the honest workmen, who are seeking or holding the position that these ticket-of-leave men obtain. It is said that applications at the prison for graduates, or ticket-of-leave men greatly exceed the supply, and the applicants have to wait their turn.

This statement, we incline to think, is generally correct. We gather it from the reports of the prison directors, and therefore may depend upon it.

But there are others who make reports of *their* visits to these prisons, and then to the workshops where these ticket-of-leave men are employed; and one who is really an advocate of the Irish system, at least as an improvement on any other practised in Ireland, or even in Great Britain, says that having heard the master of the iron-works declare that he preferred the ticket-of-leave men to the regular "*non-felon*" workmen, he asked why?

"Because," said the master, (we quote substantially, not *verbatim*,) "because these 'ticket-of-leave' men work cheaper, and are more obedient, more patient; and, not being permitted to associate with the others, (the honest workmen,) do not combine with them to enhance wages, reduce time, or procure concessions from their employers, which would diminish the profits of the establishment."

I do not wish to press an argument suggested by such a candid statement, but I will say that no warm-hearted American, who feels for the rights and well-being of the laborer, could desire to see such a spirit and such a system in operation in this country. It is contrary to the feelings of true humanity, that honest labor should be elbowed aside, or debarred its fair profit, in order to

make room for those who, because they have been scoundrels, and for that felony are compelled to work for what they can get, and give up the right of labor, and the dignity of manhood, to secure employment and gain money to go and practise their criminal arts where labor is better rewarded, and crime is more successful. Surely the answer of the "master of the works" is exactly the argument for slavery. It certainly would not be approved by the laboring and the enterprising classes in this country.

It is bad enough to have prison labor brought into injurious competition with honest industry any where, and by any means; but to take the convicted felon from his cell, and place him personally in injurious competition with the honest laborer, and make it evident that the advantage he has is from his *conviction*, is to outrage every feeling of true humanity; it is, indeed, to give a premium for crime, by making it an avowed, a legal means of advantage to the criminal.

The inquiry naturally arises, "why, considering the great number of convicts that get the ticket-of-leave, why, then, is such the demand for their labor as to exceed supply?"

The answer is evident. These men, whose services are so much desired in general, only await the acquisition of money sufficient to pay their passage to America, and then they leave their country, and leave a place also for another ex-convict.

It seems to me evident that these "ticket-of-leave men" do not always wait to earn the price of a passage. If they cannot help themselves, it seems to be to the interest of others to assist them to go; and it appears evident that emigration to this country is a part of the plan of those who grant or procure tickets-of-leave for the prisoner in Great Britain and Ireland.

Not long since a Prison Society in England, that upholds this mode of getting clear of old convicts, wrote to another kindred society in this country, asking whether the American Society would receive and provide for certain "ticket-of-leave" persons, if the English Society would land them in New York. Of course such a movement was condemned by the American Society as

unjust, and contrary to the laws of nations. But the proposition shows the motive of the "ticket-of-leave," and it is our duty solemnly to protest against the emptying of Irish and British Penitentiaries on our shores, even though it be in fulfillment of the "Irish system."

But it is asked "if the Irish and the English get clear of their rogues by this 'ticket-of-leave,' may we not also send ours off by the same means?" I will not answer that, but I will simply ask, where on this earth a scoundrel of that kind would go if compelled to leave the United States? The quarries are all worked on the Continent of Europe, and the British Isles are sending their surplus population of thieves and pickpockets to this country.

The corners of the streets are infested by "ticket-of-leave men and women" from England and Ireland. Every place of amusement has its squad; every little broil in the street is made or improved by them; and the city railway-cars are, day by day, crowded with scoundrels who put honest people's porte-monnaies into a pocket that conceals a ticket-of-leave. Look into the county jail, and you will find cells populous with these villains, sharpening their own genius, or instructing some American pupil to rob and plunder in the same style as abroad, and to use a "ticket-of-leave" when they can earn one by hypocrisy.

Sir, the ticket-of-leave earned or supplied by philanthropy or patriotism in Great Britain and Ireland, is a fraud upon this country, and it is a natural, almost certain fruit of what is called the Irish system.

I am opposed to the importation of such persons—I am opposed to it. I would protect our home industry against such a competition. Our own rogues are sufficiently skilled without foreign instruction; and crimes are sufficiently abundant in this country, without sharpening the genius of roguery by diplomas from foreign prisons, or even from our own. Let us take up all we can of crime afloat in society, but do not let us license it by tickets-of-leave to our own or to foreign rogues.

The Irish system deals with prisoners sentenced to five, to ten, and to fifteen years and upwards. The good features of it are its division into periods, and the right permitted to the convict to lessen the term of any period by good conduct of all kinds. The good produced in the convict seems to be in the first period in which the confinement is separate. That good, as it regards permanency is evidently lessened in the subsequent period by the association allowed of prisoner with prisoner; and it is evident from the statements made, that little permanent good is secured to the convict, as the whole labor, the whole care of the "ticket-of-leave" man is to get away from the police of the country, where every step he takes in a country so thickly populated, is watched by a policeman, and his outgoings and incomings are almost as well understood in the prison whence he graduates, taking his diploma in a ticket-of-leave, as if he were still an inmate.

I need not now dwell on this point—you will see its bearings. You know that we have no such police here as exist abroad.

The good that is found in the Irish system—the great good—is the separation of prisoners, and that was derived from the Pennsylvania system. The idea of allowing a convict to lessen the time of his punishment, by showing that it has been a time of improvement, entered into an act of our own Legislature some years since, but was found defective in some points. With that law modified and re-enacted, the Pennsylvania system would be perfect—if those who are appointed to carry it out are faithful in its administration, and the friends of the system are faithful in their assumed duties of watching the convict through his sentence, and assisting him by sympathy and advice when he shall have fulfilled his sufferings and acquired their benefit.

I will not here note another objection made by the opponents of the Pennsylvania system, viz: "that it is more *costly* than the other; that it neither makes money to the State, by the labors of the convict, nor even becomes *self-paying*."

I do not know that more than two or three prisons in this country are said to pay the cost of keeping prisoners. It may be

that one, perhaps two, which are situated near quarries of limestone, or marble, or within the demand of some particular article, may pay their own cost—nay, may return some profit. It must be a bad system, cruelly administered. But it is not of money, but of morals, that we speak; it is not entirely to profit but to improvement that the question applies, and if the toil of the prisoner is to be for the pecuniary profit of the State or County, and the destruction of his morals, it is toil miserably applied, punishment profitless to the convict and injurious to the community. I will not here touch the question of “social science” involved in the plan of putting convict labor in competition with honest industry, and making it easier to live and make money in a prison than in the honest workshop.

The charge that the Pennsylvania system leads of itself to insanity—that it is cruel—I have tried to show is groundless—two days investigation at the Eastern Penitentiary will sustain me.

If the proposed end of imprisonment for crime is punishment, then I confess that such an idea is fully carried out in the congregate system, where not only is the imprisonment a means of inflicting the vengeance of the law, but it perpetuates the infliction by begetting in and insuring to the convict the resolution to revenge himself upon society for his punishment, and to pursue a course of crime which, he learns from able professors of the art, may be more profitably and more safely practised than he had before dreamed of. The congregate system of imprisonment is a great school system of villains upon the Lancasterian plan, where every scholar is in turn a pupil and a tutor, receiving and imparting lessons sanctioned by experience, or made worthy of adoption by the ability and skill of the imparter.

Mr. President and members of this Society, there is one thought that I desire to utter on this occasion. The community at large is agitated upon the question of prison discipline—upon the construction and administration of prisons, and of separate and of congregate confinement, and we naturally share in this agitation and take part in the discussion to which it gives rise,

and the proceedings of this evening will partake of those feelings, and have their weight and influence chiefly in that direction. But let us not forget that whatever may be the form of the prison, or the system upon which it is conducted, whether more or less cruelty, whether separate or congregate confinement be practised, we have before us our work of ministration, not merely the alleviation of the miseries of the prison, but specially and mostly the alleviation of the miseries of the prisoner. And perhaps that branch of our duties is the most important where the most misery comes by bad construction, and by bad system badly administered. Let us under all circumstances feel that our great mission is to the miserable prisoner. Let him feel and profit by our ministrations of affectionate interest, whether his cell be occupied by himself alone or by half a dozen other convicts; let him hear our voice of monition and encouragement, whether he be laboring in a gang of out-of-door workers, or be safely housed away from the contaminating influences in words and works, of the confined criminal. Let him know that he is the object of our thoughts, of our prayers, and of our labors.\*

\* The ticket-of-leave which is so often noticed in the references to the "Irish System," and which has met with some advocates in this country, could not (it was felt) stand the test to which it was exposed; and now it is noticed that it is likely to be doomed by the British Parliament. We copy the following from a recent number of the *Philadelphia Ledger*:

"TICKET-OF-LEAVE.—It is announced that Lord Kimberley (formerly Lord Wodehouse) has introduced in Parliament a 'Bill' for the more effectual prevention of crime. The 'ticket-of-leave' system, it is asserted, having failed in its object. Prisoners for life escaping and being again convicted for small terms, without being recognized. Several remarkable cases were related to the House of Lords."

The "ticket-of-leave" and the "congregate system," after the first division of punishment (say one-third of the time), are the points which distinguish the "Irish system," and must destroy its usefulness. The "mark system" (that is, allowing the prisoner to shorten his punishment by continued good conduct) used in England and Ireland is good, and can and probably will be authorized and practised in Pennsylvania. But to be efficient it must be applied with "separate confinement."

The President then introduced the Hon. James Pollock, ex-Governor of the State.

Mr. POLLOCK said :

*Mr. President:* It has given me pleasure to listen to the admirable and eloquent remarks of the gentleman who has just taken his seat. Our thanks are due to Mr. Chandler, the philanthropist and friend of every true reform for his lucid exposition of the subject under consideration. I cannot add to the force or influence of his address. Although sympathizing with this Society in its objects and anticipations, I do not profess to be as conversant with its operations and results, as those more intimately connected with it and who control its action. All, however, must agree with him, that it has done much to alleviate the miseries of our public prisons—that it has influenced public sentiment in the right direction, and under its guidance, so shaped legislative action that the evils and horrors of the old congregate system have been abolished, with the system itself; and the better and more efficient one, known as the “Pennsylvania System,” been introduced and established.

The congregate system, as illustrated in the old Walnut Street prison—still remembered by many in this audience, was a school of vice—the rogues retreat, from which he was discharged at the end of his term, a finished scoundrel. It was to him a college of crime. He not only left the place, educated in the science of crime, but resolved, by the cruelties and humiliation he endured, to practise it in future. The associations of the place were evil, and that continually. The hardened and skilled criminal sat in the professor’s chair, and taught his villainies to hundreds less advanced in crime. Nor were his teachings without effect. The young offender and the repentant prisoner found no place of retreat. Vice and crime with all their corrupting influences were around them. Few could resist; many fell into the “still lower deep.”

Not only this; the form of punishment or discipline, if you will call it by that name, was degrading.

The deep damp cell—the dungeon with its gloomy darkness without one ray of light—its huge ring in the wall—the heavy chain and manacles of varied form, were also found in our jails and prisons. In my native county, Northumberland, the dungeon and its appliances were part of the prison arrangements. There they may still be seen, unused and abandoned long ago; but strange remnants of the past—curious monuments in the pathway of centuries, to mark the rapidity and direction of modern progress and reform.

The operations of this Society have been guided by reason and intellect, together with the promptings of a pure and unselfish philanthropy. Its influence, not only upon the discipline and management of our public prisons, but on our criminal code generally, has been felt and acknowledged. The criminal code of our State has been remodeled and reformed. Cruel and severe punishments abolished—the death penalty inflicted only on conviction for murder in the first degree—the maximum of punishment fixed by law, all under this is at the discretion of the Court. Judgment and mercy have met together, and under the direction of wise and righteous Judges, justice is administered in the interests of society, the criminal and humanity. This Society has no sympathy with crime, however much it desires the reformation of the criminal. It recognizes all that the law enjoins; but recognizes and treats the criminal as a man. It seeks to lift him up—to alleviate, not prevent the punishment of crime. Punishment is a pain—imprisonment a loss. No one expects to find a cell furnished with all the comforts and luxuries of a home of innocence and virtue, no philanthropist desires it; this Society does not advocate it. It knows that the prisoner has forfeited his liberty by his crimes; and whilst it seeks to reform and restore him to society, and make him a useful and better man, would accomplish these desirable results by some other system than the congregate—by those inhuman punishments that

marked and disgraced the dark ages. We do not deem the present system perfect, but we advocate and sustain it as the best yet introduced, and better adapted than any other to secure the great ends of punishment, the protection of society, and the reformation of the criminal. We are certain that it cannot be improved by a restoration of the old convict system—the congregation of vice, crime and criminals. Show us any practicable improvement that will not destroy the efficiency of the reformatory course through which the prisoner passes, and this Society will approve and urge its adoption.

Our present system has been greatly misunderstood, and oftentimes misrepresented. It is persistently called “the Solitary System,”—the principle of separation is persistently ignored.

The solitary principle exists in our system only in name—it has no real existence, but this “solitude” has been made the occasion of fierce denunciation and clamor for a change.

Many of our people know as little of our prison system as did Charles Dickens, who rushed into our penitentiary, and then rushed out—went home—wrote a book—notes on America—caricatured our people—our institutions, and the system of prison discipline he professed to have examined. We may, as Americans, forgive the untruths of that book, but cannot quite forget them. Yet such as his, are specimen investigations of the system and its results.

Solitude when compelled, is of course onerous—terrible—demoralizing. When sought, is full of enjoyment. In the quiet of our homes, we enjoy it, and at our pleasure return again to society. The solitude of Selkirk—on his lone island—with no human voice to fall upon his ear—no human companionship or sympathy to cheer him, was terrible, although he was not a criminal. He was *alone* and no help near. Despair intensified his solitude. But such is not the solitude of our prisons. It is not absolute exclusion from all human association or sympathy. The Judge, indeed, pronounces the sentence to “separate and solitary confinement,” but it is solitary only in the sense of sep-

aration from other convicts; solitary as an alone convict; but not excluded from the care and kindness of those who watch over him, visit him and endeavor to do him good. It is only separation from other criminals—from contaminating others, if he be hardened—from debasing influences if he be young in crime.

In this system we have secured the prisoner against his debasing companions—have given him work—instructive society, and a bonus for good conduct. All these advances and improvements have been made alike in the interests of the prisoner—his reform and the protection of society. These are the results, in a large degree of the Society's efforts and labor. We may make a further advance—we will if we can, improve the present.

A gradation of prisoners, would not injure the system or the prisoner. Different accommodations might be provided for those who have a different term of servitude. Such gradation and such adding to a difference in time, a difference in accommodation, would be a premium for good conduct; and to this might be added promotion for good conduct, to consist of such privileges as the circumstances of each case would justify. Commutation, by payment for over-work, and decreasing the time of servitude, on continued good conduct, are elements that could be introduced into the system without destroying it or impairing its efficiency. These improvements are entirely consistent with the "separate and solitary confinement," required by our laws and carried out in our public prisons.

Among the objections made to the separate and solitary system, are these, that "it injures the health—demoralizes the prisoner—induces insanity, and fails to reform," and that re-committments are as numerous under this as under any other system, if not more numerous. Facts do not sustain these allegations—the experience of nearly forty years entirely disprove them. Let us look at some of the facts, as stated in the carefully prepared statistics found in the last Annual Report of the Eastern Penitentiary, in this city. They are presented by gentlemen of intelligence—of unimpeachable integrity and true philanthropy. They-

have no personal interests to subserve—no inducements to pervert the facts in the case or conclusions deducible therefrom.

Let us look at the objections of insanity—sickness—and re-commitments in the light of these statistics. First, *insanity*, as this is the great horror of the system, in the mind of the objector. From October 29, 1829 to October 1867, a period of 38 years, there were 5911 convicts in our Eastern Penitentiary, sentenced to undergo different terms of servitude from one to over twenty years. Of that number, just six were sent to the State Insane Asylum, as insane, and of these, one was insane from the stoppage of strong drink, when he entered the prison, as Mr. Chandler has already stated. In all of the cases of insanity, the probability is, that it was induced and produced more by the vices and debaucheries of the prisoners before conviction, than by the separate confinement and its consequences, to which they were afterwards sentenced for their crimes.

How stands the record of deaths for the same period. In the same prison during these thirty-eight years, the deaths were 263, an average of about seven deaths annually. There is not a town or borough in the State of the same population in which the average number of deaths has not been greater. In the case of many who enter it, the prison is a sanitary institution—separation from vicious and corrupting companions, a remedy full of health and life, and solitude a healing balm that soothes and calms, and leads oft-times to a firm resolve of a new and better life.

The number of re-commitments, instead of proving the failure of the system, sustains its efficiency and value. Out of nearly 6000 convicts in the Eastern Penitentiary during the thirty-eight years referred to, the re-commitments have been less than 8 per cent—about ten convicts annually have committed crime—been arrested—tried—convicted and sent back to the Penitentiary. Surely there must be some very efficient reformatory power in our Pennsylvanian system to deter the convict from a repetition of his crime, or the perpetration of other offences,

subject to like punishment. In Pennsylvania the number of re-committments has been much less than in any other of our sister States. The records of no other system of prisons and prison discipline exhibit such favorable results. New York and Massachusetts, with all their boasted improvements in prison discipline have no such record to which they can appeal to sustain their respective systems—to prove them better and superior to our own. But I will leave this subject to others who will follow me.

' After the term of servitude is ended, we do not forsake the prisoner. 'Tis then our aid is much needed. Let us meet him as he again enters society—tell him he is a man—that his companions in punishment cannot know and will never recognize him as a convicted and discharged felon—tell him that human sympathy has not forsaken him—that the prayers of the good are for his reform and happiness. As he leaves the prison walls take from him the garments of the prison and clothe him with the dress of honest and virtuous life—aid him to obtain suitable boarding and employment, without revealing the secret of his crime and punishment—supply his pressing necessities—let some kind agent or guardian watch over him—advise and direct his course—point him to the true source of happiness and peace—to that volume whose author is the "God of Peace," and then may we not hope, that by the blessing of "Him who heareth the groaning of the prisoner," he may become a useful and virtuous citizen, and in the full significance of the term a MAN.

The Rev. E. R. Beadle, D. D., then addressed the Society. It is regretted that a copy of his earnest and eloquent remarks were not penned for publication.

The President then introduced the Hon. Wm. Strong, late a Justice of the Supreme Court of the State.

JUDGE STRONG said, in substance:

At this late hour I could not be justified in discussing at length the very large subject which is before you. I shall therefore attempt nothing more than a few desultory observations. The real question now presented to the public mind is whether our Pennsylvania system of Prison Discipline ought to be abandoned, and whether instead of separate confinement of convicts, not solitary, the congregate system ought to be adopted. The comparative merits of the two systems have often been discussed, not always with entire candor, and very frequently in disregard of established facts. In reviewing these discussions, it will be found that the opponents of our system have relied mainly upon their own theories, and so far as they have referred to facts at all, they have striven to warp them to suit their own preconceived notions. But we are not obliged to rely upon mere theory when we attempt to form a judgment respecting the comparative value of our system of separate confinement. It is no longer an untried experiment. For forty years the system has been in operation in the Eastern Penitentiary, and partially also in the Western. Its practical working, its results are before us. They are before the world. They invite, they challenge examination. Careful statistical accounts have been published every year, the accuracy of which is unquestionable. Separate confinement of convicts is therefore no longer a theory. It is an actual fact, and its results may be known by all who choose to examine. To these results, we who approve such a system of punishment may confidently appeal.

All agree that the objects of punishment should be to deter from the commission of crime, and to reform the offender, restoring him if possible, to usefulness in society. In both these objects the public and the criminal have an interest, and no one

denies that that mode of punishment is best which tends in the highest degree to secure these two objects. Whether our system does thus tend may now be, not conjectured, but determined by comparing its actual results with those of the congregate system in other States where that system is maintained. I refer particularly to the New York and Connecticut system, and the prisons at Auburn, Sing Sing, Clinton, and Wethersfield, with which I am acquainted, and the statistics of which I have seen.

There are some facts of which it may not be inappropriate for me to remind you, the significance of which you will at once appreciate.

The first is that the number of convicts in proportion to our population is far less than it is in other States where the congregate system is adopted. I have not the reports at hand, but there are in the State prisons of New York probably twice as many convicts as there in both our Penitentiaries. What does this mean? Does it not tend directly to show both that our system is more reformatory, and more preventive? I assume of course that the average standard of morals in both States is about the same.

Another fact deserving of notice is that the number of second and third convictions is far less, in proportion to the whole number of convicts, than it is where the congregate system prevails. Can this be accounted for by any new theory, or in any manner which does not admit both the greater efficiency of our system in deterring from crime, and in reforming the criminal? So well settled has the conviction become, that separate confinement of convicted criminals does increasingly secure both the objects for which punishment is inflicted, that our Legislature has reduced the periods of confinement for offences, much below those allowed in other States. The sentences are for shorter terms. It is no longer found necessary to close prison doors upon a convict during so many weary years, as other States have found it needful to prescribe for imprisonment. And yet, crime, though unhappily abundant, is, to say the least, no more prevalent with us than

in other States. It is even less common, if we may judge from the number of convictions. I have not time however to point you to the full meaning of these facts. You will see however that they bear directly upon the comparative merits of the two systems of prison discipline.

My attention was attracted within a day or two to a newspaper report of a public meeting, as it was called, held at Pittsburgh, recently. It seems to have been a meeting of those who are unfriendly to our system. I cannot but think that some of the speakers had not informed themselves fully of the matter whereof they spoke. I looked over their remarks to find what objections they urged against separate confinement of criminals. I found them to be these:

*First.* That separate confinement is more expensive.

*Second.* That it is more injurious to the health, especially the sanity of the prisoner, and

*Thirdly.* That it is a cruel mode of punishment.

Let us look only briefly at each of these:

I agree that prisons for separate confinement are more costly than those intended for congregate imprisonment. I agree that the profits of the State of prison labor may be greater where the prisoners associate and work together. But what an unworthy reason is this for abandoning a tried system that has exhibited the results our system has during the last forty years? How completely it ignores all regard for the prevention of crime, and for the reformation of convicts! Is it however certain that on the whole the separate system is the most expensive of the two. Prisons may cost more—profits of prison labor may be less, but if crime is diminished, or checked, if those who have violated the laws are reclaimed, and made good members of society, there is another element to be taken into calculation, another element to which our Pittsburgh friends have given no attention. In view of this, it is by no means certain that our system is not the most economical.

Of the second objection urged, little need be said. It is founded in ignorance of actual facts. If separate, not solitary confinement is more productive of disease, or if it tends more to lead to insanity, the facts appearing in forty years trial ought to show it. But the facts are not so. What have been the facts, Governor Pollock has shown you from official documents. These documents assert that the number of cases of sickness, death, or insanity is, to say the least of it, not greater, proportionately, than it is at Auburn, or Wethersfield, or in any congregate prison. For years these operations have been before the world. They have never been disproved, and no serious attempt has been made to disprove them ! The facts asserted may, therefore, be regarded as really existing. What are we then to think of an objection that consists in the assertion of a fact that has no existence ?

The only remaining objection is certainly remarkable. It is that separate confinement is cruel. Is it indeed so ? Is it cruel to a fallen man to withdraw him entirely from evil associates, from the society and influence of men fallen like himself, to give him time and opportunity for consideration and repentance ? Is that father really cruel who separates his wayward son from his wayward companions, and allows him no association but with the virtuous and the good ? Can there be greater cruelty than to doom a man prone to evil indulgences, a man whose passions have already obtained the mastery of his conscience, and who, led by passion or temptation, has committed a criminal offence, to association with others like himself ? I cannot understand this objection. Should I ever be forsaken of God and left to the commission of crime ; should I ever be sentenced to imprisonment as a punishment for ill-doing, I should regard it the highest blessing that could be bestowed upon me that, uninterrupted by evil companions, untempted by them, I might be separately confined, left to communion with myself, where I might form such resolutions and purposes as we all desire even the most hardened convict to form. I can conceive of a reckless cheerfulness which

may be promoted by association of convicts ; I cannot conceive of purer aspirations, or of any reformatory influences to be found in such society. If, then, it is true kindness to a criminal rather than cruelty to afford him an opportunity to reform, to exclude from him debasing influences, separate confinement is not cruel.

We should not forget that the influences and experiences of prison life reach onward beyond the discharge of the convict. It is kindness to him to shield him from the knowledge even of other convicts. This may be illustrated by a single fact. Years ago, while the Walnut Street Prison, a congregate prison, was in existence, a prisoner was discharged on the expiration of his sentence. He had resolved thereafter to lead a correct life. He left immediately for the country, went into a retired rural neighborhood, and hired himself to a farmer. For some time his conduct was most exemplary. He gained the confidence and affection of his employer, as well as of his employer's family, and after some time, married the farmer's daughter. Soon the family became dependent upon him, and well did he sustain the burden. At length one day while he was ploughing in a field, a stranger at the road-side stopped at the fence and called to him familiarly. He did not cease his work until the stranger called again to him by his name, exclaiming, " You need not pretend not to know me, you and I were in the Walnut Street Prison together." Imagine, if you can, his emotions. He came to the fence, when the stranger demanded a large sum of money, enforced by the threat of exposure as a discharged convict. In vain did he plead the necessities of his family, his wife, and her parents. The stranger was inexorable, and the money was extorted. This was followed by other exactions until at last the poor victim was persuaded in his desperation to join his persecutor in perpetrating a robbery in the State of Maryland. For this he was arrested, tried, and imprisoned. This is one of, doubtless, many cases. Would it have been cruel had this man been separately confined and kept from the intercourse and knowledge of all other con-

victims? These are the objections urged at the Pittsburgh meeting against our tried Pennsylvania system. What are they all worth? Surely they were made without due knowledge or reflection. But I have no right to detain you longer.

At the conclusion of the remarks of Judge Strong, and at a late hour the chair presented the thanks of the Society to the highly respectable and attentive audience, and adjourned the meeting.



NEW SERIES.

NO. IX.

# THE JOURNAL

OF

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

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

INSTITUTED 1787.

JANUARY, 1870.

---

PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1870.



**ROOMS OF THE  
PHILADELPHIA SOCIETY  
FOR**

**Alleviating the Miseries of Public Prisons.**

---

*At a Special Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January,) 6th, 1870, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, CHARLES ELLIS, and DR. A. J. OURT, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Special Meeting of the Society, held First Month, 6th, 1870, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Acting Committee to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretaries.*

*At a Stated Meeting of the Acting Committee, held First Month, 20th, 1870, the Report was referred to the members by whom it was prepared, with instruction to carry out the wishes of the Society.*

**JOHN J. LYTLE,  
SECRETARY.**



## TABLE OF CONTENTS, WITH AN ANALYSIS.

---

### **REPORT.**

Movements of the Society estimated by their fruits, . . . . .	9
Duties of the Society, . . . . .	10
Other Societies the results of our labor, . . . . .	10
Separate System the fruits of the Society's labors, . . . . .	10
Yet only one Penitentiary carries out that system, . . . . .	11
What has the Society done? . . . . .	11
The Society existed before Separate Confinement was promulgated in this country, . . . . .	11
Former state of Pennsylvania prisons, . . . . .	11
Improvement in the prisons, . . . . .	12
This Society has had an influence in the good, . . . . .	13
Duties multiply, . . . . .	15
Why has success not attended efforts to extend the Separate System, . . . . .	16

### **STANDING COMMITTEE.**

County Prison of Philadelphia, . . . . .	21
The success of the Separate System in the female department, . . . . .	22
Help needed to aid discharged females, . . . . .	26

### **EASTERN PENITENTIARY.**

Good effected by the visitors, . . . . .	26
Letter of a discharged penitent, . . . . .	27
Visits of Committee to cells, . . . . .	28

**THE AGENT.**

His labor and success, . . . . .	29
The instrument and the mode, . . . . .	31
Efforts to extend the action of the Society, . . . . .	31

**LETTER FROM WEST CHESTER.****RESPONSE TO THAT LETTER.**

Character, object, and labor of the Society, . . . . .	34
Benefit to prisoners sometimes sacrificed to pride, . . . . .	35
Importance of separate dealing with prisoners, . . . . .	37
Statement of results in County Prison, . . . . .	38
Duty to keep the untried separate, . . . . .	39
Consideration of commutation, . . . . .	40
Difficulty of finding the right kind of officers, . . . . .	41
Necessary to distinguish between the Mark System and the Irish System, . . . . .	42
Consideration of the importance of teaching in prison, . . . . .	46
Courts of conciliation, . . . . .	47
Change of writer's views on the Separate System, . . . . .	48

**COMMUTATION.**

Its operation, . . . . .	52
Not applicable to county prisons, . . . . .	53
Penitentiary prisoners discharged under Commutation Act, . .	54
Statistics of Penitentiary prisoners, . . . . .	56

**THINGS MUCH NEEDED.**

House of Correction needed, . . . . .	60
Enlargement of County Prison more needed, . . . . .	61
An intermediate institution required, . . . . .	62

**THINGS THAT CALL FOR IMPROVEMENT.**

Duties of Aldermen considered, . . . . .	64
The evil of fees, . . . . .	65
Different mode of appointing Magistrates, . . . . .	66
Indefiniteness of terms an evil, . . . . .	67

***CRIMINAL LUNATICS.***

More provisions in this State required, . . . . .	68
Arrangements in England, . . . . .	68

***NECROLOGY.***

Philip Physic Randolph's death, . . . . .	69
Remarks of the President, Mr. Barclay, . . . . .	70
Memoria and resolution by Vice-President Chandler, . . . . .	72
Committee to convey proceedings to the family of Mr. Randolph, . . . . .	76

***FOREIGN REPORTS.***

These foreign reports interesting to prison Inspectors, . . . . .	77
Admirably formed, . . . . .	77

***IRELAND—CONVICT PRISONS.***

Number and ages of these convicts in 1868 . . . . .	78
Length of penal servitude, . . . . .	79
Discharged by various modes, . . . . .	79
Ticket-of-leave men return, . . . . .	79
Different view of convict labors, . . . . .	80
Success with female convicts, . . . . .	81
Mount Joy male convict prison, . . . . .	81
Offences and punishments in prison, . . . . .	82
Three denominations of Chaplains, . . . . .	82
Separation strongly recommended by Chaplains, . . . . .	82
Disputes among convicts on the subject of Psalmody and Hymnology, . . . . .	83
The uses of the sacrament permitted, . . . . .	84
Lady visitors useful, . . . . .	84

***SCOTLAND—PRISONS.***

Number of prisoners, and prisons, and cost, . . . . .	85
Increase of prisoners, . . . . .	87
Comparative number of male and female prisoners, . . . . .	88

***WEIGHING.***

Gain and loss of weight by imprisonment, . . . . .	89
--	----

<b>SALARIES.</b>	90	
<b>PERTH GENERAL PRISON.</b>		
Character and condition of its inmates, . . . . .	90	
Wonderful predominancy of females, . . . . .	91	
Length of sentences, . . . . .	91	
<b>INSANE.</b> . . . . .		91
<b>MARK SYSTEM.</b>		
Operations of that system, . . . . .	93	
Bad effects of ticket-of-leave, . . . . .	94	
Removal from prison, . . . . .	94	
Provisions for the safety and the rights of convicts, . . . . .	34	
Reformatory schools, . . . . .	95	
Reformatory schools in Great Britain, . . . . .	95	
Number and character of these schools, . . . . .	96	
Discrimination with regard to religion, . . . . .	97	
Successful treatment, . . . . .	97	
<b>REPETITION OF CONVICTION.</b> . . . . .		98
Comparison of Scotch and English Reformatories, . . . . .	100	
<b>INDUSTRIAL SCHOOLS.</b>		
How supported, . . . . .	101	
How composed, . . . . .	101	
Great number, . . . . .	102	
Number to be increased, . . . . .	103	
Great impartiality in the religious administration, . . . . .	104	
Printing in the schools, . . . . .	105	
Female teachers necessary, . . . . .	105	
Honorable Secretary, . . . . .	105	
<b>CONCLUSION.</b>		
Notice of the labors of Jeremiah Willits, . . . . .	106	
His services in Richmond, Va., . . . . .	107	
Letter of invitation to him, . . . . .	108	
Good results of the travels of members, . . . . .	108	

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## R E P O R T .

---

THE movements of society, like those of the stellar world, proceed with so much regularity that we are apt to mark them more by the effects which they produce than by the rapidity of their progress. Individuals and societies maintain their relative positions as do the stars, so that we notice the revolutions of both, less by the different relations of the great masses, than by the movements of the few. The constellations which may be systems for themselves interest us less than the planets which make up our own system. From the "formed" and "congregated" worlds of those distant systems, individual stars seem to be gifted with erratic movement which we note for curiosity or general instruction. The slightest aberration in a single planet of the solar system would arrest observation, and perhaps betoken disaster. So whilst the hundreds of societies which in this Country and in Europe have been formed and sustained to supply some want, or lessen some misery which dis-

tinguishes our age, which is inherent in man or which results from existing social combination, receive the notice of the observing of all similar associations, each has it, as a special duty to note its own movements and the progress or aberration of its particular dependencies or those in special relation with itself.

Our duties as a Society are to guide and direct, and then to record, the progress which we make, and then to note the movements of other associations in general harmony with our Society. We cannot grasp all at first, that is a power beyond our gift.

“God sees from whole to parts: the human soul  
Must rise from individual to the whole.”

We shall endeavour to give a statement in the present “Journal” of the movements of our Society in the year 1869, to show some of its effects upon other associations, and by itself and by those associations its influence upon public sentiment. Indeed we regard the existence of many of the Prison Societies in the Country, and all perhaps in this State as proof of the effects of this Society upon public sentiment; awakening that sentiment and informing it, and then directing it to practical uses.

It would seem strange to one not well instructed in the subject of Prison Discipline, and not specially conversant with the opinions of a large portion of the people on the uses of imprisonment, that the Society claims for itself the credit of having promulgated and procured the practice of the separate system of imprisonment, and demanding also for that “separate system” the

credit of being the only plan by which imprisonment may be calculated on as useful to the community and morally improving to the prisoner. We say it would seem strange to some that with all this, the only Penitentiary in the Country that practises the separate confinement is the "Eastern Penitentiary of Pennsylvania."

What then has "the Philadelphia Society for Alleviating the Miseries of Public Prisons" really effected? What are the fruits of its labors. If separate confinement is the great instrument of its success, where has it been successful? If those means are not secured, what has it done, if it has not succeeded in producing that which is the great instrument of the success, the instrument indeed, without which it cannot predict complete success?

Let us answer these queries, because they seem pregnant; and, until answered, they may impede the action of some well meaning friends and aiders of philanthropic movements.

*First.* "The Society for Alleviating the Miseries of Public Prisons," was in existence long before the idea of "separate confinement" as a means of improving the prisoner, was promulgated in this Country. The labors of that Society were begun and prosecuted at a time when, so far from the punishment of convicts being by separate confinement, it absolutely consisted of "public exposure," and the man convicted of violating the laws of this State was sent into the public street with a ball and chain to his leg, and a wheelbarrow at his arm, to do the scavenger or other work of the city. In all parts of the State the congregate system existed, and was car-

ried out to its fullest extent. The theory might have been a little less "miserable," but the practice was a congregation of all classes and both sexes; and the detestation of crime might be considered so deep and practical that criminals were to be regarded as wholly irreclaimable, so that the "miseries of public prisons" were augmented by the practice of vices that in themselves should be punishable.

Imprisonment for debt existed in this State, and crime and misfortune were confounded by the imprisonment, not only in the same prison but in the same room, of the debtor and creditor.

The prisons were then, as some of them are now, cold in the winter, stifling and hot in the summer, and miserable places in all seasons.

This Society moved quietly and steadily, and one after another the miseries of public prisons were abated, and we no longer see the chain-gang, issuing in the morning from the prison to commence its daily labor in the street. This was among the earliest work of the Society, after the ministration to the individual prisoner.

With scarcely an exception the sexes are at worst kept separate, and discrimination is had with regard to the character, age, and circumstances of the prisoner in many places, and thus filthy vices are diminished.

Imprisonment for debt is by law abolished in the State, and while one portion of the Philadelphia County Prison retains the name of "Debtors' Apartment," the reason for the appellation is set forth in the adjunct of "Old"—"The old Debtors' Apartment."

Prisons in many parts of the State are now generally comfortable in both winter and summer. Heat is communicated to the cells, and proper beds and bedding supplied to the inmates. In the summer, ventilation is provided, and at all times, water and personal conveniences are immediately and at once available.

Has the Society done all this? We think it has, and has done much more.

We do not mean to say that the Pennsylvania Society has gone to the State authorities and said: "Let there be no more chain-gangs in the streets from the prison. Let there be a division of the sexes in the prison. Let there be no more imprisonment for debt—no more confusion of crime and misfortune."

It certainly has not produced all the good of which it claims to have been the promoter, by any such assumption of power. But while it has aimed at the correction of all the evils to which we have referred, and tried to produce all the good which is evident in the changes of prison discipline, it has so wrought on public sentiment, so labored with the opinions against the habits of the public, that these changes seem to be the result of the regular advancement of the principles of humanity—and so they are; but that regular advancement is due to some cause or agency.

We must never forget that certain principles, upon which the best men seem to be acting, with some idea that those principles are as fresh and novel as is their labor, are as old as truth—they belong to the Divine law of love—and in all these efforts to relieve the miseries of public prisons, we and others are only carrying

out the maxim proclaimed by the Author of Christianity: "All things whatsoever ye would that men should do unto you, do you even so to them." The success of one effort often leads to labor in a new direction, and the failure of efforts in any direction often leads to an inquiry how the cause may be removed, and thus a means discovered of diminishing the evil.

Now, while this Society has been unostentatiously engaged in the good work which it professed to have in view, the value of that good has constantly increased, by the development of the miseries which were almost hidden behind the greater and more obvious evils. And it may be added that while philanthropists for a time limited their exertions, and their views and hopes to a diminution of the crying miseries of public prisons, those exertions lead them to consider how imprisonment might be converted from a simple brutal instrument of public vengeance, to a means of individual improvement, and, in proportion to the number of those individuals, to an occasion of public benefit. So that the prison, instead of being a pest-house of incurables, should become a moral infirmary, where the dignity of man being rightly respected, the offending member of society might be received, nursed, and restored to the community in soundness of principles and purity of morals.

Step by step philanthropy has advanced in the good work, and what has already been achieved, could it have been foreseen, would have been regarded by the humane agents as almost a miraculous result, yet we who occupy the advance point, feel that the work multiplies—that what has been done only shows what is

to be done, and even past success is only the enforcement of the duty to advance.

We stop not now to enumerate the points which are yet to be attained. Especially do we not attempt that enumeration, because we know that every new achievement seems to open up new causes for labor, and new application of our principle of relieving the miseries of prisons. We do not "tremble," but from the heights already attained,

"—We *glory* to survey  
The growing labor of the lengthening way.  
The increasing prospect tires our wondering eyes—  
Hills peep o'er hills, and Alps on Alps arise."

So much remains to be done, only because so much has already been done, and he who looks to the termination of the work of humanity, must learn to wait till all things human cease.

Erroneous education, bad association, strong proclivity of the mind towards evil, will work out vice and ensure crime, and while these results expose the offender to the penalties of a violated law, the offending and suffering object is the very one to which the obligations of our Society send its agents.

But if this Society has the satisfaction of seeing its efforts blessed towards the improvement of public sentiment in regard to the miseries of public prisons, it may be asked how it is that in so many States, where the true spirit manifests itself, there are not measures adopted for affording to the prisoner the true means of profiting by his imprisonment—that is, why in those States are

there so few attempts to keep one convict from association with another, according to what is denominated the Pennsylvania System?

We answer, that the labors of this Society have been eminently successful in awaking the public mind to the evils of the public prisons as they have long existed. It was only to invite attention to the situation of public prisons, and at once almost all assented to the truth of the statements made, and to the duty of attempting some alleviation of the evil.

But the correction of that evil was another matter, more difficult of comprehension, and, if undertaken on the Pennsylvania plan, then at first attended with increased expense.

Sometimes the evils were admitted as pointed out, and the benefits of correction assented to, but some one would start with a plan for achieving the desired object with less than the necessary but *undesired* cost. And so either nothing was done, while awaiting discussion, or much money was spent in carrying out an untried experiment, which, if it was not sure to fail from the first, did assuredly fail at last, and left with the public a disrelish for all attempts to alleviate the miseries of public prisons. One of the great causes of failure in other States, is the attempt to compromise matters—to make the Pennsylvania system subservient to the old customs, and thus to destroy the little benefit which the good administration of a bad system could and did produce, without securing any of the advantages of a good system well administered.

One other disturbing cause may be cited, viz.: the

miserable desire to see a State prison self-sustaining, or even contributing to the public treasury.

This plan—the bargain with crime and profit—this sacrifice of all hope and means of personal improvement, to the hope and means of public gain, may be successful in certain places, where there are materials for labor and manufacture. Some State prisons are on sites carefully selected, on account of their immediate proximity to granite or marble quarries, or deposits of limestone, or iron ore. And the convicts are condemned to social labor, under inflictions that are sure to make some money for the establishment, and to ensure a perpetuation and increase of the bad feeling.

This theory of improvement is at least spoken of in locating these establishments, and planning their government. Religious and moral *instructors* are provided in some of them, and the whole in its incipient stages, seems to promise some realization of the hopes of improving the prisoner as well as punishing him. But the strong inherent spirit of profit, the love of gain, the *aura sacra fama*, interferes, and the new State prison is made to resemble in spirit the galleys of other times and other nations.

The truth is, that the sense of the miseries of public prisons is more easily communicated, than the sense of duty to alleviate those “miseries.” Among the acts which the Author of Christianity mentioned as a part of the duties of his followers, were visitation and ministration to the prisoner, but as available visitation or systematic visitation is attended with care, and requires much combination, we find it easier to arouse the mind

of the public to the sense of the miseries of prisons, than it is to induce hearty, persistent effort of contribution and sacrifice, public and private, to the amelioration of these miseries. Immense amounts of money have been spent in attempts to conduct public prisons on plans that admit of partial association for the sake of labor, with the intent to procure the benefits which are certainly attainable by separate confinement. Failures surely and naturally attend these attempts—here and in Europe—but especially in this country. It is vain to hope for good results from associating convicts. The plan as compared with the Pennsylvania system, would be like attempting to keep time with a chronometer that is destitute of a main spring, or a clock that has no pendulum.

While the labors of Philanthropists and of Prison Societies have done much to arouse and inform public sentiment on the subject of prison construction and prison discipline, they have not yet produced upon the public mind the idea of a necessity to sacrifice some cherished views—some plan connected with the past. The improvement in public sentiment as yet, in some places, is not complete, and like most other attempts at reformation, it is yet contending with the influence of habit, and partakes of their character. The purest light that the sun gives down is oft tinted by the colors of the object on which it falls. We must wait the triumph of that which is correct, and bear with patience and hope the impediment of prejudice and want of information. Though the darkness does not at first fully comprehend the light, yet it will finally yield to the purer element.

Some failures to carry out the Pennsylvania system, where it has been attempted, must, we think, be referred to a want of co-operation of the Inspector with the Officer of the prison, or rather a want of *inspection*. Officers not inspected are apt to fall into negligence, and systems that require much care, fail of effect when those who are to administer them yield to their love of ease, and neglect what seem to be the minor points of discipline.

We have often said that a good administration of a defective system is preferable to a careless administration of the best system. It is mal-administration that has defeated the hopes founded on the Pennsylvania system, when that system has been changed. It is the skilful, conscientious discharge of duties connected with the administration of all its affairs, that makes the Eastern Penitentiary, in this city, the model Penitentiary of the world. The administration corresponds with the system, and the results, so far as the system itself is concerned, fulfil the promises and gratify the highest hopes of its advocates. And wherever that system has been adopted, and *faithfully administered*, it has been beneficial. Indeed all of the success that attends any system, in any penitentiary, is due to the separate confinement that is practised in the Eastern Penitentiary. Wherever, and just so far as, that is practised, there is success. It is the departure from it that produces confusion, rebellion and escapes, and prevents the success of reformatory efforts. All that is indisputably useful in the "Irish system" (and that of England and Scotland), is the habit or system of "separate confinement." Dis-

putes, changes, discussions, and varying opinions, spring from a departure from this great and necessary portion of prison management.

While a lamentable amount of misery is to be found in many of the prisons even in this State—found, indeed, where the best ideas of prison discipline prevail, because the public, the authorities will not respond to the demands which humanity makes upon their liberality; while these things exist, and perhaps in some degree will always exist, wherever the law inflicts its penalties, this Society has the gratification of knowing that throughout the State there has been aroused a wholesome interest in the subject of prison discipline, and that public opinion is being fast enlightened, and in several counties the good work progresses, and reformation is regarded as the great end of punishment. All that we read of action in other States shows the new interest that has been excited in the great subject. It may be long before the prisons in those States are constructed and administered upon the true principles, but all the changes denote a desire of improvement—and while we may have to regret a few failures, we rejoice that these failures are made, with progress in the right direction, and that they strengthen the hopes that renewed effort will lead nearer to the desired goal.

---

### STANDING COMMITTEES.

The Society works by its principal standing committees, to one of which is assigned the duty of visiting the

prisoners of the Eastern Penitentiary, and to make report generally of their labors. Similar duties devolve upon another committee, having in care the moral aspect of the inmates of the County Prison. The members of these Committees meet monthly, that on the Penitentiary on the Thursday, and that on the County Prison on the Tuesday, preceding the meeting of the Acting Committee, on the third Thursday in each month. These members hear the report of their respective colleagues, upon the condition of what is submitted to their care.

The meetings of these Committees are often occasions of much interest, as particular cases are mentioned with freedom, and the general views of the members and of the Society are compared with actualities, so that often these reunions, though professedly for business only, become of importance to the cause, as strengthening or correcting opinion, while they keep alive an interest upon which so much of usefulness depends.

The Committee receives a report of the character and number of visits which each member has made to the part of the Prison or Penitentiary assigned to him, and also the results, if any are known, of particular labors with individuals.

#### COUNTY PRISON.

The members of the Committee to the County Prison report above seven hundred visits a year from their individual members. There are about two hundred (200) visits also made by ladies, who regularly visit the cells

of the females, and produce much good. The results of these visits are noticed elsewhere. It may be proper to state that in the female department the women visitors have free access to the prisoners, and deal with them singly, no cell having more than one convict in it.

The result of special dealings shows that the inmates of prisons, whether they be old or new offenders, are susceptible to professions of sympathy on the part of their visitors, and that their confidence is easily gained when those professions present in time unmistakable marks of sincerity. Nor let any one start at the idea that *felons* are distrustful of good people who come on errands of mercy to their cells. These felons, by their very felony, become distrustful of all. They have lived by deception, by fraud, by violence, and they have associated with their equals in all these qualifications for a felon's cell. It takes time for them to appreciate the motives, and comprehend fully the language of the Society's visitor to their cells; and the visitors must have patience with this distrust, must endure the coldness of suspicion, and the neglect of indifference. A few months, a few weeks, and often a few days place the visitor and the visited in good *rappoport*, and enable the latter to profit by the visits of the former, and both to rejoice in the new state of things.

Within the year the Committee on the County Prison have had evidence of great moral reform in several prisoners; and a letter from one thus improved, shows how much may be effected by moral suasion, and how much of practical ordinary school lessons may be imparted. As these letters are not numerous, their pub-

lication is withheld lest the fact of publication make known to others the writer's condition.

When there is an opportunity to deal with the conscience and common sense of a prisoner alone, without any one to hear the lesson, or to comment upon it to the prisoner in the absence of the teacher, a good effect is almost invariably produced.

Separate confinement, that is, the separation of one prisoner from all others, is the condition of success; and that condition having been found, in the Female Department, more success has attended efforts to improve female convicts than has been obtained among the males, who are crowded together several in a cell, though it is evident that, in the County Prison, good service, faithful, conscientious labors among the male convicts, are to be credited to the excellent visitors.

But no situation of the prisoner excuses a neglect of their real wants. They are human beings, and they and their necessities are commended to us by divine precept; and though perhaps few of them leave their crowded cell with any practicable plans of a better life, yet it is not hence to be inferred that no good has been done. The word of truth, dropped into their hearts, may germinate at a later date, and favorable circumstances may warrant the hope of a plentiful harvest, or at least such a gathering as will repay all the labors of the Committee, who must "learn to labor and to wait."

The Committees of the Society feel greatly impeded in their efforts to restore offenders to a social status from a want of pecuniary means to aid them in their first efforts. Great good is done every week by the Agent

of the Society, and by the Committees for the Eastern Penitentiary and the Philadelphia County Prison, helping the discharged convicts to reach home, or to find some place of employment beyond the city. Nor do those who are punished for vices escape the attention of the Committee. They, too, need help. The vicious become guilty by neglect of others, and persistence in their own follies; and if they can be placed at a distance from the city, where there are no grog-shops, and no dens of vice, no Bedford streets to attract, they may be regarded as in a hopeful condition—in a situation where something may be done to help them help themselves. If the members of that miserable class are suffered to hang about the city, they are drawn back into those abominable slums as naturally as weakness yields to strength. They will, in moments of reflection, after suffering from a debauch, promise themselves and others that they will avoid the place and the wickedness; but when they are again brought up and reminded of their promise, they plead with much earnestness, and really with some show of reason, that nobody wants them in decent families in the city; no one will provide them with decent clothes and means to reach the country, while the places in which they had offended, invite them thither, and the companions of their past debaucheries give them a hearty welcome.

While these poor creatures are condemned, and ought to be condemned and punished for their miserable life, it cannot fail to strike a philanthropic observer that they have some reason on their side, something that seems to excuse a little, though not to justify at all. Who

will receive into their houses as servants, to be entrusted with the contents of their closets and their pantries—with the circumstances and movements of their families—women that have been leading a dissolute life? Not many. None, perhaps, under ordinary motives. But there are some, let it be said, while this matter is before us, there are some women who go down to the prison and seek for servants there, rather than in other places. They know that much bad has been shown to exist in these unfortunate and erring women—but they believe also that every one of them contains much good, latent rather than obvious, and that that good needs only cherishing, only kind consideration, and a persistent effort to give it development, to make the possessors rank with the good ones of the kitchen; and the philanthropic women also believe that it is a part of their duty as Christian women, to endeavor by some sacrifice to reform these erring ones, and restore them to the ranks of humble, virtuous society. It is then a work of love, a solemn discharge of a duty devolved upon their situation by Christianity; and when they take home a young woman from the prison they have the just idea that they are procuring some help in their household labors, and doing a simple Christian duty, a duty which is more effectually done in this form, even with one single person, than by talking to a hundred with affectionate earnestness and then allowing them to leave the prison with no fixed employment and no watchful eye.

## COMMITTEE ON EASTERN PENITENTIARY.

The visits of the Committee on the Penitentiary, to the cells and to the occupants of the cells in that great reservoir of the punished (and we wish we could say of the penitent), are more numerous than are those to the County Prison. The Committee at the Penitentiary is more numerous, and the labor is more promising, as the prisoners have a longer lease of their cells, and are by the discipline of the place made to depend more upon their kind visitors. The fruits of these labors are necessarily more abundant at the Penitentiary, from the fact of the better and more secret interviews of the visitor. Great good we have occasion to know has been done by these visitors, not only in making the unfortunate and guilty inmates of the cells feel that they may be helped forward, and that feeling is strengthened and augmented by the pure sympathy which the visitors manifest in their condition, and especially in them as human beings. This sympathy by the visitor, or rather this appreciation of the sympathy by the prisoner, is the great means of improvement, and it is most gratifying to the visitors to receive, as they do, occasional calls from men whom they have taught to read and write, and instructed in the great duties of man (viz : to fear God and work righteousness), and to know that the objects of their labor in prison and their solicitude out of prison, are keeping their promises of good behavior and fulfilling the hopes of those that help them in their hours of difficulty.

We have the means of making our readers acquainted with some of the results of the labors of the visitors, and it would afford them pleasure to read, as it has others—the letters which these improved ex-prisoners write to their friends of the Committee. But as our Journal goes into the very vicinity where the writers of some of these letters reside, we might do harm by their publication. From one letter now before us, written by a man who received instruction in the common branches of school learning, as well as of practical morals, in the Eastern Penitentiary, we must extract a few paragraphs. It is but proper to say that, with a deep sense of his duty to himself and society, the man left the Penitentiary, aided of course, proceeded to some distance from Philadelphia, settled down to mechanical labor, rented a house and shop, and went to work. He has, he says, a flourishing business, a good run of customers—a two-story house, a spring house, wash house, and garden, feed and pasture for a cow, and two acres of ground for corn, and is doing well, working, of course, steadily and earnestly, from morning till night. He then concludes his letter: "Give my best respects to Mr. Hallowell, Mr. Hampton, and Mr. Gregory. I still remember their kindness. May God bless you all and reward you for the kind treatment and good instruction which I received from you all."

And the writer of that letter was a tenant of a felon's cell in the Eastern Penitentiary, and he no where intimates an opinion that he was unjustly imprisoned.

One of the man's prayers, is, it is believed, answered, viz: "May God bless you all for the kind treatment

and instruction which I received." There is certainly an abundant blessing in the consciousness that the labors of love have been so fruitful. That the man separated by the action of the law, and the opinions of men, from social intercourse and the confidence of those whose association would be honorable, has by steady, affectionate efforts been raised from the degradation which the punishment of crime inflicts, to the level of honest men, to a place and means that assure competency and will enable him to achieve respectability.

To the Penitentiary several women pay weekly visits, and it may be said that the female convicts in the Prison and Penitentiary in Philadelphia have their moral condition well cared for.

The following statement of the visits by members of the Committee on the Eastern Penitentiary, will show that the work has not been neglected. This table, however, does not include a statement of the visits by the ladies, who are unremitting in their attendance :

	VISITS.	IN CELLS.	DOORS.	SEPARATE.
January,	40	307	230	246
February,	25	167	220	252
March,	66	450	314	508
April,	45	348	308	487
May,	28	315	207	322
June,	47	382	549	491
July,	33	241	306	440
August,	30	200	300	400
September,	22	192	203	325
October,	37	300	259	377
November,	44	330	435	391
December,	26	189	186	204
	443	3421	3517	4443

## THE AGENT.

The labors of the Standing Committee have been noticed rather generally than particularly. Those labors are nearly the same for years. It would interest those who feel for fallen humanity to know the details of the work, but the extent of our Journal does not allow of such particulars.

A great work is done at the County Prison by Mr. William J. Mullen, who is at once the Agent of this Society and of the Board of Inspectors of the Prison.

Mr. Mullen daily visits the cells of the prison, and ascertains the circumstances of the tenants; and when it is evident that the prisoner is innocent, or that the circumstances of his offence are such that he may be released without injury to the cause of public justice and of the complainant, he enters upon the settlement of the case, and rarely fails.

There are persons imprisoned who need his aid, even though they deserve punishment. It is of almost as much consequence that the criminal should not be punished beyond his bad deservings, as that the innocent should not suffer as if guilty. Every man has a right to have his case presented to the court without exaggeration, and if the charge of the accuser should include a crime not recognized in the real offence, then it is a duty to justice and humanity that the accused have the benefit of an explanation and argument, at least against the exaggeration.

Mr. Mullen looks to these matters, provides counsel

for the poor stranger who may have offended against some laws, but not violated all.

We have so often dwelt upon the character of Mr. Mullen's labors that it is not necessary now to particularize them. They are unremitting, and always in the cause of humanity; and even though at times events show that the object of his successful kindness and care was in the special case a real transgressor of the law, yet it is known that where such has been the case, the released guilty man has been warned by the danger from which he escaped, and usually kept clear of offences thereafter.

Some thousands of cases were settled by Mr. Mullen in 1869; many more than in former years, owing to some new arrangements of the committing magistrates.

Something of the appreciation which the Society has of Mr. Mullen's services may be inferred from the fact that it is not thought possible for any Prison Society to exercise its full power, and produce the good results of which it is capable, without just such an Agent.

It may not be improper here to state that the whole number of persons whose release was, in 1869, procured by Mr. Mullen, was three thousand seven hundred and ninety-six, (3,796.)

It would startle an inexperienced person to see the list of offences for which that great number was committed. It is humiliating to a human being of any sensitiveness to see in how many ways man may violate the laws.

## THE INSTRUMENT AND THE MODE.

It is gratifying to be able to state, as we have done in our reports for several successive years, that the philanthropic inquiries of people in this country, and in most of the countries of Europe, are taking a direction towards the subject of prison discipline, its improvement and its ends, and naturally, as we think, the number of those who participate in these investigations is constantly increasing.

The evils of which complaints are made are real and extensive, and the good proposed is great, and becoming more and more apparent, and by investigation, and the details of experience, more and more attainable.

There is no diminution of the feeling, and from time to time we see it expressing itself in plans that demand execution. There seems to be a certain time necessary for the gestation of all great and greatly useful schemes. A too early attempt at execution usually produces abortion, and causes delay in the work of improvement. Circumstances must be moulded or waited for, and public sentiment educated or stirred up to the requirement of the work.

In the course of the last summer, a letter was received from a distinguished individual in a neighbouring county by one of the officers of this Society, to which an answer was, as soon as possible, returned. We subjoin a part of the letter calling for information, and append thereto the answer, as containing some of the views which the

Society is willing to have promulgated as those by which it is itself influenced, and which it would have acted upon by others.

*West Chester, Pa., July 27, 1869.*

"I know little, indeed almost nothing of the results of the labors of your association; I think, however, I can see that they have affected beneficially our State legislation. But is it not desirable that something more shall be done than has yet been by the Legislature towards rendering the efforts now made for the réformation of convicts more effective than they are?

"It has seemed to me that larger provision ought to be made for discharged convicts, in order that they may be furnished with remunerative employment immediately upon their discharge, until they can find a way of making a living for themselves, or at least for a time sufficient to afford them an opportunity of engaging in some kind of business. The means now provided by the State appear to be inadequate; and they are probably often expended without much profit to the donees. Has your association matured any plan of action in reference to this subject?

"Would it not be well that every convict sent to the State Penitentiary should be taught to read and write, and to keep accounts, when destitute of education? And ought not this to be a subject of special attention, and placed under the care of paid instructors provided by the State? And would it not be eligible to appoint some women for such a purpose. I am strongly impressed with the belief that no influences more potent for good than those which may be exerted by virtuous and sympathizing women over degraded and fallen man exists in creation. If Eve tempted Adam to his fall, her daughters have done more and can do more to help their brothers to rise again, than the best of those brothers can do for each other.

"Ought not the Governor, or some other officer, to have a general power to mitigate the rigor of prison discipline in cases of good behavior, and to propose as rewards for such behavior an abridgment of the terms of service according to some established rule?

"Have you considered the eligibility of establishing courts of

conciliation, such as exist in France, as an aid to the administration of justice in Philadelphia? This, however, is outside of the scope of my present inquiry.

"My interrogatories, I have no doubt, disclose to you how little I know about the subject on which I write; but I am asking for information, and I have sought to do no more than to indicate the direction of my thoughts, and the range of my inquiries.

"Very respectfully yours, &c.,

\_\_\_\_\_."

---

Rooms of the Society for Alleviating the }  
Miseries of Public Prisons.

*Philada., Sept. 9, 1869.*

To —.

*Dear Sir,—*—The published proceedings of the "Society for Alleviating the Miseries of Public Prisons," show that from the time when it first put forth its efforts beyond mere organization and government, it has led in all measures which relate to the objects included in its comprehensive title, or if by chance others have conceived the idea of improving the law or its administration, this Society has not hesitated to second the movement, and aid in testing its value. It has not failed to admit the merits of a scheme merely because that scheme may have claimed other paternity. The benefit of the prisoner, in all that makes punishment subservient to improvement being the great object of the Society and the motive of its members, the question has never been, when any plan of "alleviating the miseries of public prisons" is presented, "who is its author?" but "what may be its fruits?"

This Society, however, on examining good schemes for attaining the object of its establishment and maintenance, has had much occasion for self gratulation in the belief that if the plan involved the means of much good to the public, the prison, and the prisoner, it has usually been the work of some of its members at home, or the result of investigation abroad, suggested by its own teachings.

Before certain queries propounded relative to a change in the laws are answered, it seems desirable to notice the operation of the system upon which those laws are to operate.

The change from the old method of conducting prisons to that which is called "the Pennsylvania System" was so great, and so much time was requisite to develop for public comprehension its beneficial effects upon the prisoner; and, it may be added, the first cost of the experiment was so considerable, in the construction of buildings, that many counties and States tried at considerable cost to patch up their buildings and plans, and make them "do for the present;" and some that did not comprehend the system, and some who did, and yet loved to oppose, adhered to their established plans, and seemed to sanction the belief that punishment has nothing to do with reform, and that the bad rule, injuriously applied to woman, is applicable to all, viz.,

"That one false step forever blasts her fame."

Prisons are rather imposing structures; their towers and battlements, and their cold, repulsive walls, meet every eye; but few, very few, think of the temporal or

eternal interests of the many who are beneath those battlements, and within those walls.

The city or county is concerned in having a handsome prison, something that will in a degree compensate for its great cost, and gratify the civic pride of the tax payer; but for the scoundrels and the impure that are incarcerated therein, there is less general sympathy, and the good old Bible rule that "the way of the transgressor is hard," is illustrated by having everything about him hard and repulsive, not so much from a want of Christian charity in the members of the community, as from an indifference to the condition of those who, being out of sight, become also out of mind. An indifference perhaps excused (not excusable) from the fact that these felons get no more than they deserve in the way of punishment as *felons*—hence some neglect the claims of humanity, for their *improvement as men*.

We are apt to charge upon the Legislature of the State a great neglect of the interests involved in our public prisons. And perhaps less has been done than the friends of humanity acting in that direction could desire; but, considering the immense amount of legislation that the "General Assembly" of our State has to perform for objects pressing, important and useful, for those who are present and urge their own case, and make themselves felt and their cause understood, it can scarcely be wondered at that some interests of public prisons should be neglected where neither affection nor immediate interest urges action, and where sometimes a love of the ease of old establishment is antagonistic to the willing

and earnest self-sacrificing effort of those who advocate improvement for the sake of improvement.

It may be regarded as a most gratifying proof of the constant disposition of the Legislature to aid in the work of alleviating the miseries of public prisons, that recently a law was passed creating a "Board of Public Charities," by which benefit should result to the charitable and penal institutions in the State; Commissioners have been created to look into the operation of various systems of prison discipline as they are carried out in this State and in other States; and these measures, it is believed, are due to the suggestions and efforts of this Society.

Now also a commission has been appointed for the revision of the civil code of Pennsylvania. Another step in the path of improvement. Not only because men of strong and well-stored legal minds will be called into active service to modify and improve the existing laws of the State, but because—especially because—men of enlarged views of human rights and of social science have their minds drawn to the subject by the action of the Legislature in authorizing the commission, and hence an awakened sympathy in the new movement. The wish to do the good has perhaps long existed, but the moment an opportunity and the means are presented a new interest is excited, and the whole powers of the mind are directed to the subject, and are ready to investigate or to suggest means for so desirable an end.

The queries which have been propounded in your letter now before me, show the interest which you feel in the subject, and I will consider them somewhat in the order in which they are presented, taking the liberty

however to state that the earlier inquiries should be as to the general system of treating prisoners, which must involve the subject of prison construction. Prison discipline depends for efficacy, much on prison construction.

As I consider that separate confinement can alone produce all the good of which prison discipline is capable, so I think any legislation which contemplates the greatest good of the unhappy inmates of our prisons must essentially fail of its object if it allows of intercourse among prisoners. I will not say that "social confinement," that is, the permission of prisoners to congregate in their labors—or to be confined two or three in one cell, will produce no good. Experience shows that careful watchfulness over the manners as well as over the persons of prisoners thus associated, has not been without some good fruit. The good administration of even a vicious system can scarcely fail of some benefit, especially when so much of success depends on good administration and personal devotion. But as a general rule the experience of prisons shows that the association of two or more felons results in nothing but an augmentation of their felonious intentions, and an improvement in the theory and practice of their felonious plans of operation. And hence I consider that the congregate system (that is, any system of allowing two or more convicts to occupy one cell), almost certainly leads to a further depravity of the morals of the associates, and that almost the only hope of alleviating the miseries of public prisons by the improvement of the

prisoners, must rest upon separate confinement, and hence of a separate dealing with each.

If any one should ask for one of the evidences of the superiority of the separate system over that called congregate, it may be found in a fact recently set forth in some statements touching affairs in the Philadelphia County Prison.

Four years ago there were in the female department of that prison about eighty-three (83) female convicts, and these were placed in about half that number of cells, the other cells being crowded with untried prisoners and vagrants, drunkards, &c. But the cells that were specially devoted to female convicts were crowded, often more than two in one cell. An opportunity presented itself for increasing the number of convict cells for females, by placing the old "Debtors' Apartment" at the disposal of the keeper of the female convicts, and the Councils of the city were liberal in their appropriation, and there were added to the means of detaining the female convicts forty-two (42) cells. This addition led to the entire separate confinement of the female convicts, and to a separate dealing with them by the moral instructors. And a result of these measures was a reduction in two years and a half, of the number of this class of prisoners from 83 (at some times the number was as low as 62) down to *thirty* (30). And with a little more means and a little more attention on the part of the Visitors, it is believed that the number could be still further (but not greatly) diminished.

This is one effect of having the convicts kept separate (not solitary), and though this instance is derived from

the female department alone, yet there is every reason to believe that the same fulfillment of the law of the State with regard to "separate confinement," and the same fulfillment of the law of God with regard to scholastic, moral and religious instruction, would be productive of similar, if not equal, benefits to male convicts.

This leads me to remark that the adoption of the Pennsylvania system of separate confinement calls for a plan of construction of the prisons, that will admit of all permissible comforts to the prisoners, without allowing them to converse with, or to see, each other. This cost of reconstruction has led to a continuance of the congregate system in many cities and counties of our State, where there was an unwillingness to vote an expenditure for building a prison that would enable the superintendent or the inspectors to treat convicts as the law of the State and the sentence of the Court require. Some counties have built prisons to admit of the separate confinement of convicts.

It is not my object now to pursue the subject of discipline in that direction, but I would say parenthetically, that if separate confinement is due to the convicted felon, that he may not be made worse or make others worse by a bad companionship, then *a fortiori*, separate confinement is the righteous claim of the untried prisoner, who is to be regarded as innocent till the Court pronounces him guilty. That is a point of such importance that it deserves separate consideration. In some county prisons the convicted felon has his separate cell and its advantages, while the young man certainly innocent in law till he is proved guilty, may be arrested

on bare suspicion, and thrust into a cell with accomplished knaves, teachers of crime, or low, dirty vagabonds, breeders of mischief and vermin.

I quote at length the following pregnant query which your letter contains :

“Ought not the Governor or some other officer to have a general power to mitigate the rigor of prison discipline, in cases of good behavior, and to propose as reward for such behavior, an abridgment of the terms of service according to some established rule?”

This question takes hold on the great idea of prison discipline that is occupying the mind of Europe at the present moment, and which has called forth legislation in at least fifteen States of this Union. And at one time there was a law in Pennsylvania allowing the Superintendent of Prisons and the Warden of the Penitentiary to discharge the convict before the termination of the Court's sentence. The time thus deducted from his sentence was to be regulated by the conduct of the prisoner. Some want of care in drawing up the bill exposed it to opposition, and, on account of what was regarded as “*ex post facto*” in its operation, it was pronounced unconstitutional.

The idea is not new, philanthropists have proposed it in various countries of Europe. Some as early as 1847. And the experiment is now under trial in Ireland and in several prisons in England.

The idea which you present is known in this country as “the Commutation System.” The system supposes the convict to be sentenced to a certain number of years, or months (let us say years), and his good conduct care-

fully noted, will, if continued for a certain time, say ten months, entitle him to the credit of one full year of his term. And the second year, beginning really at the termination of the well spent ten months, is still further shortened by a continuance of good conduct of all kinds. So that the two year sentence will be fulfilled in nineteen months—and as in Ireland the sentences are usually much severer than in this country, the deduction or commutation earned by the prisoner whose sentence is for ten or fifteen years, is very considerable. Of course misconduct is charged, and the convict is entitled only to the balance that may be in his favor.

There can be no doubt that the commutation system is one of immense value in the science of prison discipline; and where it has been tried it has been found of great benefit.

But I have elsewhere hinted, and I here emphatically note, that the benefit of any system results from its administration, and this system is more dependent upon its administration than any other. The convict is to be closely watched, and his conduct is to be righteously judged. How few of the prisons of this country are officered by men competent to do more than to detain the convict, supply him with work, teach him how it should be done, supply him with food, and punish gross violation of prison rule!! The Commutation System asks that the keeper be of a kind to inspire respect for his person, and especially for his judgment; and as months, and perhaps years of the convict's incarceration may depend upon the report of a common keeper, how likely is that convict to impeach the motives of his keeper should

his reports be adverse? How liable that keeper to color reports by his feelings towards the convict? Every man concerned in the administration of the prison must feel anxious for the success of the system. And I do not doubt that all the keepers and assistants can be brought to a full co-operation with the principal, and that the labors of philanthropic individuals concerned in the "alleviation of the miseries of public prisons," would be voluntarily given to the good work. Of the importance of volunteer assistance I shall speak in a future paragraph of this letter. From several causes this "Commutation System" is known in Ireland as the "Mark System." With some other characteristics it is called in England and even in parts of the United States, "the Irish System."

But in any plans for the improvement of the prisons of the State care should be taken to distinguish between the *part* known as "the Mark System," and the *whole* called "the Irish System."

The Irish System commences with separate confinement (with some rigors that do nothing toward improvement) and to that separate treatment it owes all its success that is not due to careful administration. But in the progress of dealing with the convict, the Irish System permits of the association of felons, so that what separate confinement has so well begun, is quite undone by the evil association; though, perhaps, the conduct of the convict while in prison is a continuance of the seeming propriety that was commenced in the first stage of separation from all other convicts.

The term "Mark System" comes from the marks,

good or bad, which his conduct earns, and by which his claims to a shortened period are established, or his liability to full service may be made known.

While this Society has earnestly approved of the system of commutation, and thus has been an advocate of the "Marie System," it has borne testimony to the evil effects upon the after life of the convict who has by good conduct in separate confinement earned a right, under the Irish System, to greater or less association with other convicts. On this subject your attention is drawn to the Report of the Society for 1866-7 and 8, and especially to the proceedings of the Annual Meeting of the Society, as given in the Journal of the Society for the past year.

I can scarcely express with too much earnestness the importance of what you denominate "the power to mitigate the rigor of prison discipline, and to propose rewards, &c." The Commutation System will, if carefully and judiciously prepared, and rigorously and conscientiously administered, meet the wants of prisons in that direction. Yet so much must depend upon administration, that it is not safe to declare that the community will at once derive from any legislation on that point, all the benefits desired, or that it will, in every prison, derive any benefit from the first experiment—for the experiment must be tried.

Your views of the importance of larger provisions for discharged convicts are eminently correct. They need pecuniary aid, they need advice, and they need protection and patronage. Our Society has given much attention to this subject. But its plans and efforts have been

limited to its own sphere of action, and the results of its labors have been gratifying though necessarily limited.

Your inquiries, of course, have in view provisions by the State or county, and the law permits some pecuniary aid to discharged convicts. Much more might be granted with great benefit to the cause of true philanthropy, provided that the sums appropriated were judiciously expended. There is one danger in the plan of public or State appropriations for deserving convicts, viz., that in a little time the distribution will become general, and every convict will claim to be a recipient of the public bounty, and by degrees the claim will come to be allowed. Those who have had much experience in prison management, know how prone are the administrators to pass from a special discriminating exercise of favors or rewards to a general bestowal of the means with which they are intrusted. Yet with the Mark System (the Commutation System) this form of help would be more easily introduced and more discriminately practiced.

The great charity of providing for discharged prisoners ought to be considered in any law that is enacted for the government and improvement of those persons while they are prisoners.

In France there exist several societies whose object is to receive the prisoner as he leaves the jail and provide, as far as possible, some employment; some means at least for his immediate support, so that there shall not be pleaded as excuse for renewed crime, inability to procure the necessaries of life by honest effort. We must, moreover, distinguish between the circumstances and

habits of the people of the old world and those of our own country.

Private or associate efforts in behalf of the discharged convict have been found the most effective in this country; perhaps that is partly owing to the lamentable fact that there has been little provision for assistance of that kind.

The Committee of this Society find great demand for their means and their watchful care at the Eastern Penitentiary, and a considerable sum is appropriated by the Society, and from bequests for that purpose, to the very ends which you suggest. At the County Prison, while a similar Committee discharge the same duties, the work is generally more effectually done by William J. Mullen, the Agent of the Society, acting with the advice of some members of the Committee.

More money, more advice when leaving, more watchfulness for the discharged convict when at a distance, would enable the Committee and the Agent to extend the benefits of their mission. As it is, they do much good, as is evident in the letters received from the recipients of their kindness, and much remains to be done. And whenever the State shall undertake with earnestness to reform as well as punish prisoners, more liberal legislation will be had in favor of the discharged convict.

It may be said that all the instruction, moral and religious, which the convict receives in prison, is often rendered unavailable for good by his inability, when he leaves the prison, to find employment in the vicinity, or to obtain means to go to some distant place where labor, such as he can perform, is in demand. To remedy

this evil the Societies in France labor incessantly with enlarged views and extended field of action, and the statement of their success is gratifying.

Our Society has not matured any plan of action in regard to discharged prisoners beyond what it has practised through its Committees. If the State should provide for such aid to, or temporary guardianship of, that class of persons, only an extension of the efforts made by our Society upon the plan now in operation would be necessary.

You ask,

"Would it not be well that every convict sent to the State Penitentiary should be taught to read and write, and to keep accounts, "when destitute of education, and ought not this to be a subject "of special attention, and placed under the care of paid instructors "provided by the State."

If instruction to the uneducated would benefit the inmates of the State Penitentiary, and demands on that account legal provisions and paid teachers, it can scarcely be supposed that the large and crowded County Prisons in this Commonwealth have a less claim upon public legislation for such provisions.

Instruction is due to all uneducated convicts, and has, as I know, been imparted in the County Prison to the vast benefit of the recipients, and in the very branches to which you refer.

On this subject I will make one remark, founded on my own observations, viz. Those convicts who have entered prison with abilities to read and write, and with more or less of education in other branches, rarely calcu-

late upon any benefit from those attainments when they shall be discharged. They seem to set little value on education. While those prisoners who enter the convict's cell with no education and are taught to read and write, and cipher, seem proud of the attainments, and almost invariably turn them to good use when they leave the prison.

Provisions therefore for educating the convict should be a part of any enactment that may be made for the improvement of prison discipline.

With regard to the appointment of women to instruct female convicts there can be no objection, rather it would seem to be eminently appropriate. It might not be so well to place a female instructor in a cell with a male convict who is undergoing "separate confinement." These are matters to be arranged in the administration of the prison laws. Of the influence, for good, of females over prisoners, where there are ability and desires to do good, there can be no doubt. I have witnessed the effect with admiration.

I cannot doubt of the good effects of Courts of Conciliation, such as exist in France. They would save much expense, much enmity, much time. They are, perhaps, rather the results of a later period than our own age in this country. In matters of that kind it is sometimes better to endure an existing evil than to risk the character and benefits of a remedial institution by a too early establishment thereof.

To us that look on, Courts of Conciliation are regarded with favor for the evils they would prevent and the good they would do, while those who are in the contest

of business, large or small, are prevented by the very contests from appreciating and desiring the best remedy for their troubles.

I have noticed at considerable length each subject to which you have invited my attention; and I have occupied space enough, it would seem, to discuss at large the subject of "Social Science," at least that part of it which is included in the idea of prison discipline. But I have given much time to a consideration of the duties of society to its unfortunate and its offending members; and I have devoted more than nine years almost exclusively to a direct inspection of prison management, and to experiments upon the effect of different systems. I have seen what punishment could do towards the accomplishment of public vengeance; and I have watched and waited for the results of prudent kindness, as a means of making punishment subservient to the end of improvement. I had a theory to test when I commenced the work of inspection. I believed that separate confinement was cruel, and its results injurious to the prisoner; and I thought I should be able by experience to strengthen my own belief, and illustrate its truth to others. I failed. From the prisoner for the smallest offence to the felon homicide, I discovered that the culprit was to derive his means of moral improvement from an absence of all offenders like himself, so that he might profit by the lessons of good, which friendly visitors should impart, and have time and motive to form resolutions of solid amendment.

In weighing arguments for and against the Pennsylvania System, care should be taken to keep constantly

in mind that "separate confinement" is not "solitary confinement," and that all the "*ad captandum*" objections to solitary confinement fail of any application to the Pennsylvania System of separate confinement.

I have never seen much of solitary confinement, but I can well imagine that it might be made injurious to the convict. I have seen much of separate confinement, and have watched the effect of its influences (with daily instruction) from the hour of commitment to the day of discharge, and my opinion is as expressed elsewhere in this letter, that in separate confinement alone can the moral instructor hope to reach the heart, and influence the future conduct of the prisoner. Good conduct may be enforced, perhaps, in almost any kind of prison system. The worst and most unrepentant rogues often find it to be to their interest to obey rules; but it is their present interest not their future conduct that is consulted, and the reward for good conduct is often obtained by one who deserved all the punishment he received, and is resolved to deserve as much more.

The spirit of inquiry now pervading the community relative to all matters connected with the administration of criminal law must, before long, lead to some general plan of conducting the penal establishments of our State, for which, of course, a modification of the laws is necessary.

The establishment of a "Board of Commissioners of Public Charities" is an important step towards a proper organization of our prison system. But has it ever occurred to you that there is something auspiciously ominous in the name of "public charities," as applied

to the penitentiaries and prisons of our State? Does it not intimate that a spirit of true philanthropy is to pervade all legislation and administration with regard to penal institutions, and that "charity" is to be consulted rather than vengeance in dealing with the violators of the law?

I thank God that in your queries I find nothing about making money out of the labor of convicts, not even the idea of "self supporting" prisons. There is a question of social economy involved in prison labor which I do not mean to touch; but there is also a question of humanity as to the amount of improvement in the prisoner that is to be sacrificed for the profits of his labor that every Christian philanthropist must understand.

Permit me here to remark that he who would modify the laws of the State to improve the discipline of our Penitentiaries, should make himself acquainted with the operation of the existing systems; should confer with those who profess by experience to understand the subject, and especially should he confer with those who, having no interest, or salaries, or contracts, familiarize themselves with the working of systems, and who know what are the means of making punishment available to improvement.

The subject of primary justice in the cities, however, should be carefully and most understandingly dealt with. The amount of wrong inflicted by incompetent magistrates, acting upon a bad principle, seems almost incalculable. The roots of this evil are in the system. These matters and others connected with them, will,

of course, be considered by any Commission that means to produce the greatest good of the greatest number.

J. R. C.

---

## COMMUTATION.

Near the close, perhaps at the very close, of the labors of the Legislature of the State, in May last, a law was enacted of which the following is the text:

*Be it enacted, &c.* That all prisoners who have been or who shall hereafter be convicted of any offence against the law of the State of Pennsylvania, and confined in any State prison or penitentiary in execution of the judgment or sentence upon such conviction, who so conduct themselves that no charge for misconduct shall be sustained against them, shall, if the Governor shall so direct, have a deduction of one month on each of the first two years, of two months on each succeeding year to the fifth year, and of three months on each following year to the tenth year, and five months on each remaining year of the term of their sentence, and shall be entitled to their discharge so much the sooner upon the certificate of the warden or principal keeper of such prison or penitentiary, with the approval of the Board of Inspectors of the same.

Some of those who desire to see the convict encouraged to good conduct by the hope of reward, thought they discovered in the wording of the above cited law an inclusion of "County Prisons" in the words "State Prisons," and that therefore the benefits obviously intended for the convict of the Penitentiaries, were also

available to the convict of the County prison, and a movement in that direction was by more than one person suggested.

But to us it appeared that the framers of the law had in view only the tenants of the two Penitentiaries of this State, and had adapted the language of the enactment to meet the great objection made to the acts of former years, intended to serve as authority for commuting the sentences of convicts generally, and allowing them to shorten the term of imprisonment by good conduct. That law was liable to at least two objections, that are very serious in the estimation of all, viz.: *First.* Some of the provisions were, in their operation, *ex post facto*, as they interfered with the sentence pronounced by the Court before the enactment of this law.

*Second.* That by allowing the inspectors of prisons or penitentiaries to release prisoners before the time announced by the Court, the prerogatives of the Executive were infringed—as the pardoning power is, by the Constitution of the State, vested solely in the Governor.

By the law of May last, it will be seen that the difficulties are removed. For whatever may be the good conduct of the prisoner, the whole power of the inspectors consists in recommending him to the Governor for commutation or pardon, he, the prisoner, having fulfilled certain conditions.

It may be said that the pardon by the Governor may be extended to prisoners convicted before the passage of the act, and would therefore be liable to the same objection that defeated the provisions of the previous act, viz.: making the law *ex post facto* in its operation. To

this it is replied, that by referring the release of the prisoner to the will and pleasure of the Governor, the objection becomes powerless, as the Governor had the right to pardon the same prisoner, whether recommended or not. This consideration also removes the second objection to the former law, viz.: That it gave to inspectors power that belongs by the Constitution only to the Governor, as the Governor could pardon these men if he wished, without the recommendation of the inspectors, and without the fulfilment on their part of any of the conditions upon which the commutation discharges are to be founded. If then the Governor of the State could, without the passage of this law, do all which he is permitted to do by its provisions, if no new powers are conferred on the Executive and none could be taken away, it may be asked of what use is the law?

This question we shall answer hereafter.

In the meantime the question has been raised whether the law does not include in its provisions the County Prisons, where there are crowds of convicts who are as much entitled to any benefits which this act may confer as are the tenants of the two Penitentiaries. To that question we have already partly replied that the language of the act, viz.: "State prisons or penitentiaries" indicate that only the penitentiaries of the State were in the minds of the authors of the bill, and we learn that his Excellency the Governor of the Commonwealth takes the same view of the act, and will not for the present attend to the recommendation of inspectors of county prisons, for commutation of sentences founded on this act. He considers, and justly, that the words

"State prisons and penitentiaries" have no relation to County prisons.

Some years since the United States acting on the suggestion of this Society, and influenced by the success in the States, passed a commutation act by which prisoners sentenced by the United States courts could "work off" a part of their sentence, and by good conduct replace themselves in society, to earn an honest living if they desired to do so.

The law of Pennsylvania as has been stated applies only to the penitentiaries, and acting under its provisions the Inspectors of the Eastern Penitentiary made an examination of the sentence-book, and found eighty prisoners entitled to the benefit of this, of whom four were United States prisoners. These were all discharged under the provisions of the acts. The Governor of the State consenting to the discharge of those released under the State law.

Of course the discharges were not all made on one day, though the first application of this law reaches the high number of 38.

We subjoin tabular statements of the condition and sentences of the prisoners, the time saved, and the amount of over work paid for.

	WHITE.		COLORED.		
	MALE.	FEMALE.	MALE.	FEMALE	TOTAL.
July 15th, 1869,	4	0	0	0	4
July 22d, "	34	1	3	0	38
Aug. 10th, "	18	0	3	0	21
Sept. 9th, "	14	1	2	0	17
	—	—	—	—	—
	70	2	8	0	80

The *four* persons discharged on the 15th July were United States prisoners. The aggregate of their sentences was 12 years. By the law of the United States the good conduct of those prisoners reduced their confinement to 11 years, 6 months, and 2 days, making a saving of 7 months and 28 days.

The other commutations were under the act of Assembly of Pennsylvania, and they were as follows:

The thirty-eight prisoners discharged on the 22d July had an aggregate of sentence of 186 years and 9 months, and they served 169 years, 3 months, and 28 days, making a saving of 17 years, 5 months, and 2 days.

The twenty-one discharged on the 10th of August had an aggregate of sentence of 29 years and 10 months, and they served 26 years, 11 months, and 2 days, making a saving of 2 years, 10 months, and 28 days.

The seventeen discharged on the 9th of September had an aggregate of 43 years, 3 months and 7 days, and they served 37 years, 3 months and 10 days, making a saving of 5 years, 11 months, and 27 days.

#### TOTALS.

The whole time of the sentences served and saved by these eighty discharges was:

SENTENCE.			SERVED.			TIME SAVED.		
YEARS.	MOS.	DAYS.	YEARS.	MOS.	DAYS.	YEARS.	MOS.	DAYS.
259	10	7	233	6	10	26	3	2

## INDIVIDUAL SENTENCES.

Of those thus sentenced and thus discharged there were :

27	sentenced for less than 2 years.
24	" for 2 to 4 years.
20	" for 4 to 6 years.
4	" for 6 to 8 years.
5	" for 10 years and upwards.
—	
80	

## OVERWORK.

Of the 80 commutation prisoners 44 made overwork to the amount of fourteen hundred and eighteen dollars and forty-six cents (\$1,418 46), an average of \$32 23.

*One of the discharged men received \$270 06, for 5 years, 7 months, and 8 days shoemaking.*

*One received \$201 12, for 3 years, 6 months, and 1 day cane work.*

*One received \$133 15, for 2 years, 5 months, and 13 days cane work.*

It will be seen by the above reference to "overwork" that prisoners may not only by the new "commutation laws" free themselves from a considerable portion of the sentence which the court inflicts, but they may also provide themselves with means to make a new beginning in life, and much valuable experience, itself, if properly used, of incalculable worth.

Since these statements were made there have been many more discharged, but our exhibition shows the operation of the system.

Undoubtedly the Inspectors of the Eastern Penitentiary were well informed by the Warden of the conduct

of these convicts—those recommended to the Governor, and by him allowed the benefit of the new act, so that it seems that about 25 years of imprisonment have been taken off the aggregate of the terms of these commuted convicts. The hope of achieving the same benefits for themselves, will, it is likely, operate upon the conduct of others, and thus the prisoners will be allowed to open the prison door for their departure by their own good conduct, as they were allowed to open the same door and enter by their bad conduct. This seems to be one illustration of the idea of a “free country.” The bad have a freedom to work their way into the penitentiaries by pleading bad conduct, and having improved their morals, and exhibited proof of their will and abilities to do better, they are free to work their way out of the penitentiary.

In our opinion the good proposed by this law was, if desired, obtainable without the law. But undoubtedly a great good has been accomplished and men provided for, by the suggestion of this “recommendation for special pardon,” as all released from the Penitentiary under this law could have been pardoned under the old laws—but it is evident that very few who have had a commutation, or shortening of sentence by the suggestion of this act, would have been pardoned had not the act been passed.

We expect that the subject of prisons will occupy some considerable portion of the time of the next Legislature, and we believe that the Governor will present the matter of Commutation, with special reference to the county prisons, as, however applicable the present act

may be to this class of jails, it is believed that some improvement could be made in its provisions.

For example, the prisoners in the Penitentiaries are usually regarded as more heinous offenders than those of the county prisons, and hence the term of imprisonment is usually much larger, sometimes for the same offence —only that in the case of the convict sentenced to the Penitentiary, there is usually the aggravation of crime resulting from a repetition of the offence. Hence, perhaps, will be found a motive for extending the time which a prisoner in the county jail may redeem from his sentence by good conduct. By the new commutation act, now adjudged by the Governor to apply only to convicts in the State prison, the class of prisoners who are confined in the Penitentiaries may, by earning a good report, reduce the first year to eleven months; third, fourth and fifth year to ten months each, and the sixth, seventh, eighth, ninth and tenth years to nine months each, and the remainder of their term to eight months for each year. This is well, though in Scotland we notice that the time that may be gained is equal to one-third of the sentence.

Now as the sentence to the county prison seldom exceeds two years, and very rarely goes beyond three years, it has appeared to us that one month for the first year, two for the second, and three for the third years would be suitable, and perhaps something of that kind will be provided for in the bills which are likely to be reported to the next Legislature

We have spoken, above, of the usual difference of time between the sentences for the Penitentiary and those for

the County Prison. It may be proper here to remark that there are exceptions, and one particularly noticeable was lately found in the County Prison, where there were two men undergoing a sentence of twelve years each for burglary.\* This is rare, but as it exists and may again occur, of course provisions should be made for such cases.

We confidently expect that the Legislature will initiate and perfect "bills" relative to prisons and penitentiaries, and their discipline, that will ensure a great amelioration of the condition of prisoners. The plan of Commutation is one which has for a long time received the approval of this Society, and it cannot be doubted that, as it has commenced, though only with penitentiaries, it will be improved and applied to all the prisons of the State.

On every side we hear approval of this system of Commutation, this great plan of letting all prisoners work themselves out of the jail and penitentiary. Of course we may expect some difficulty in the early administration of any laws authorizing commutation. These difficulties will be overcome where there is a will. The authority to commute is the great matter. The administration of that law is what must be looked to—a loving devotion to its permissions, and to the best interests of society and the improvement of the prisoner will ensure the benefits proposed, and without that no law will be worth approval.

---

\* These two men were pardoned in December, 1869.

## THINGS MUCH NEEDED.

So much has been said as to the necessity of a House of Correction, that it is not with any hope of adding much to the determination of the city authorities to erect such a building that the matter is here referred to. We know that there is such a want of a place of the kind that the City Councils feel called upon to supply that want; and when there can be an agreement as to the location, we do not doubt that the work will be commenced and carried forward.

But we wish to state distinctly that the erection of a House of Correction in Philadelphia is not the one work of greatest necessity. There is another want that appeals to the friends of humanity, and the respecter of the laws of the State. We allude to the absolute necessity of enlarging that part of the County Prison which is used for males.

The law assigns to every convict a separate cell; and in the County Prison almost every cell for male convicts has two or three prisoners. And perhaps it is even worse on the untried side, where there is a crowding together of men charged with crime and awaiting their trial. There is an absolute necessity for enlarging those portions of the County Prison which are used exclusively for men.

The erection of a House of Correction, if it took from the prison every man that by law could be sent to the House of Correction, would leave more than two to every cell. The law is plain and distinct upon this

point of separate confinement. And Grand Juries, for a few years past, have presented the crowded state of the male department of the County Prison as an evil that demanded abatement. But the City Councils have not been moved to the discharge of the duties which that circumstance devolves upon them, and which the presentment of these Grand Juries would almost authorize some other authorities to discharge at the expense of the city. In another article in this number of the Journal there is a statement of what has been the effect of separate confinement in the Female Department of the County Prison, where in two years the number of convicts has been reduced fifty per cent., and the number of all kinds of commitments at almost the same rate. And the number of cases of sickness or ailments of all kinds have been lessened by two thousand one hundred.

The law, and humanity, and success are all in favor of enlarging the Male Department of the prison. Surely an evil of such a character and so easily provided against, cannot remain much longer uncorrected. It would almost seem as if the courts had power to interfere in this matter.

There is another desideratum deserving to be noticed. The history of criminal justice in this city shows within a few months, cases of a kind that should arrest the attention of the public. There are means in the Penitentiary and the County Prison for the punishment of adult criminals, if not exactly according to law, yet according to the circumstances of the times. And what amendments are required in the circumstance of those penal abodes are suggested at once by the law. But

there is a class of offenders that seem to lack a place for penal improvement, or confinement, if improvement should be found unattainable.

When boys have been found mischievous and disobedient at home, or in the neighborhood, and special acts of unlawfulness suggest their arraignment before the administrator of justice, the House of Refuge has been usually selected for their place of confinement, and for that process of correction which is to work in them the spirit of improvement, and work out of them the evidences of practical amendment. But the Managers of the House of Refuge have a right by law to exercise their judgment as to the propriety of receiving into their "Refuge" any one whose conduct has been so bad, so persistently villainous as to lead them to fear that his residence with them would work much more mischief to the other inmates of the House than it could be made productive of good to the young offender. And on the refusal of the Managers of the House of Refuge to receive the young culprit, the Court, of course, transfers him to the County Prison or Penitentiary. The case has quite recently presented itself, and two bad boys, too bad for the Refuge, were sent to the Penitentiary for some years. That certainly was preferable to a County Prison, where crowded cells are indispensable, and the frequent change of prisons render discrimination difficult.

There seems, then, to be a need of some place intermediate to the House of Refuge on one side, and the Penitentiary or County Prison on the other. At present separate buildings would be required; but if the

County Prison should be enlarged so as to meet the existing wants of the inmates, there can be little doubt that in two years there would be empty cells sufficient for the class of juveniles to whom reference has been made, and special provisions for their treatment could be made applicable to their circumstances.

It is of great importance to correct and improve the erring youth that have before them the probabilities of a long life, that may by care be made beneficial to the public and themselves, but which by neglect may become a disgrace to themselves and a burden to the public.

---

## THINGS THAT CALL FOR IMPROVEMENT.

The Society that makes it its principal business to ameliorate the condition of prisoners, has before it a task of constantly increasing difficulty, because the experience which it obtains from practice opens up new channels of labor as it suggests new auxiliary modes of assisting to promote the great object. The construction of prisons and the arrangement of their interior, the discipline and instruction of prisoners, all connect themselves with the leading views of the Society, and call for special and careful attention.

But there are other associations that, in time, become important as they are connected with the means of punishing, and the plans of improving offenders against the law.

The primary administration of justice is of vast importance. Many persons are ruined every year by the disgrace that is consequent upon uncalled for arrests, and the injury to their morals by the bad associations to which they are subjected in the cells of the prison if they are unable to obtain bail.

Those who see and converse with prisoners when the cell first receives them, know how often careful inquiry proves the truth of the assertion of entire innocence by these newly imprisoned persons. If crime is charged, then the taint of crime is on their *character* till the case is dismissed by the Alderman, or concluded in their favor at court. But thousands who hear that A. B. has been arrested on a charge of forgery, burglary, or fraud, never hear of the discharge, and know nothing of the acquittal by the Court. Some, when told by those who know, that the arrested person proves to be entirely innocent, kindly express pleasure at the acquittal, but uncharitably remark that the accused may be innocent, but usually there is some fire where there is so much smoke.

Against this most cruel habit of binding over without cause, and connecting the name of innocent persons with a gross misdemeanor, all good persons ought to protest, and those who are connected with public legislation ought to provide.

The plan of the primary proceedings is altogether wrong. If it be not now possible or convenient to change the tenure of officers, or to transfer their appointment from the ballot-box to the Executive, at least some provisions could be made for their compensation

without sending them to the nearly empty pockets of the poor who seek justice, or the gratification of unkind feelings, at their hands. We repeat here the idea which we have more than once advanced, viz., that while we reflect upon the primary administration of justice in this State, especially in the cities, we feel that the evil is less in the officer than in the system. Men are elected to the office of Alderman who look to their earnings to sustain themselves and families; and the fees of the most successful Magistrate in the city will do little more than that. How, then, can it be expected that men with the lawful means before them of gaining fees should neglect the only means of livelihood which their office affords? If people will come with silly complaints or frivolous charges, for swearing to which they are most ready and willing to pay, it can scarcely be supposed that their wishes will not be gratified. Perhaps there is nothing in all this, either in suitor or Magistrate, worse than is going forward in the business world elsewhere, where trade leaves its channel to dabble in the sweeping Maelstrom of speculation; a d misery and want, disgrace, and all but punishment follow the departure from the normal course.

While we speak, as we have done, of what is called the evils of the primary judiciary, and the wrong which those evils inflict upon the poor, and often upon the good, we are by no means to be considered as including all the magistrates in what is deemed the misdoing. We are in a situation to judge of these matters, and we know that there are aldermen in this city who willingly co-operate with the officials and agents of this Society in

alleviating the miseries of those persons whom these aldermen have sent to prison. They discharge a duty imposed by law in incarcerating the accused. They discharge another duty, imposed by humanity and religion, in releasing the prisoner from confinement. Of course there are errors, and perhaps, sometimes, cruelty—but even these errors and that cruelty would be greatly abated, if not entirely removed, by a change in the mode of appointing and compensating the aldermen, even if the same men should be placed in the same offices.

But another evil calls for correction, viz.: the very indefiniteness of certain terms that apply to violations of ordinances and laws.

For example, the law of this Commonwealth annexes to the *crime* of drunkenness the penalty—a fine or twenty-four hours' confinement. And disorderly conduct and vagrancy may have thirty days penalty, or the penalty may be remitted by the Inspectors of the Prison. Drunkenness, then (if it pay no fine), is punished with twenty-four hours. Now as the drunkard rarely has the means of paying his fine, or if he could raise it, he perhaps would consider it economical, to save in prison twice as much as he could earn out of it. So he is sent down. And the disorderly person is also sent down to the prison (we say sent *down*—for, thank God, whatever may be its location it is going down to go to a prison), but not as a drunkard, or disorderly person—but a “peace breaker.” This perhaps procures to the committing magistrate some money, or the friends of the prisoner may raise a little, to pay the fine and pro-

cure the release—but all this is contrary to the spirit of the law and to good order. Perhaps the Court could remedy this in part, by a definition of offences and a proper discrimination. We have no intention here of censuring the magistrates. If they were paid a fair salary, as are the judges of the County Court, they would be removed from the necessity, at least the temptation of doing what seems oppressive but not unlawful. What would be said of the judges of our courts if their compensation depended upon fees, and the costs and fines of litigants. We need not say how dangerous would be such a mode of maintaining the courts. We do not suppose that there would be any *just cause* for complaint with existing judges, we know them too well, but there would be *complaints*. There would, moreover, be attempts to divert the course of justice. Let us thank God for what is left of the independence of the judiciary, and pray that “good conduct” tenures be restored, and a liberal, gentlemanly salary provided for those who now spend day and night in studying and trying to administer law and justice, and yet may be driven from their place of labor, to want, by a breath of party displeasure.

Those who would alleviate the miseries of prisons or assist individuals and societies engaged in that good work, must consider the importance of a judiciary independent of political influences, and place the judges above the “*res angustæ domi*” by a fair salary. But most of all, the miserable dependence of the magistracy upon the pitiful “costs” of more pitiful cases brought before them, is to be and ought at once to be removed.

## CRIMINAL LUNATICS.

This Society has never failed, on proper occasions, to seek to ameliorate the condition of "criminal lunatics." And the State has sought to meet the wants of that class of sufferers by the erection of a State asylum, and the enactment of laws that may make the institution available to the good purpose of its establishment. All has not been done that the case requires, and many poor, insane persons remain in prison cells, exposed to the constant irritation of a partial sense of their condition, and no recollection of the cause of their confinement. One or two new buildings are required.

In Great Britain the subject has occupied much attention, and considerable legislation has been found necessary to meet the exigencies of the case. In 1867 a Criminal Lunatic Act was passed, authorizing a merciful disposal of criminals (who *were* lunatics), and whose sentence expired before there is proof of restored sanity. But doubts were entertained whether such an act extends to criminal lunatics whose terms of punishment have expired previous to the passing of that act, and for the removal of these doubts an act is passed allowing the act of 1861 to be retroactive, and operative in the case of prisoners whose time had expired before the passage of that act.

Among the arguments against the Commutation Law of the State of Pennsylvania some few years since, one was that it must be inoperative, because it was *ex post facto* in its application, that is, it interfered with the

sentences of courts passed before the enactment of the law, and was therefore held to be unconstitutional in this State. Such an argument would not be of the same weight in England. Here a written constitution limits a legislature. In England Parliament is omnipotent, and can with one enactment supply the deficiencies or correct the error of another. Legislatures sometimes need restraints as well as inducements, and even in doing good it seems best to make haste slowly.

---

## NECROLOGY.

We scarcely hoped that a year would pass without the necessity of stating the death of one or more of the active members of this Society, especially as some of them are now well advanced in years. But we scarcely thought that one among the youngest as well as of the most efficient of our laboring members would have been called away, while so many his seniors in years are left to mourn the disappointment of the hopes of the future usefulness of their co-laborer. The Society has to lament its great loss in the death of

PHILIP PHYSIC RANDOLPH, ESQ.

The following are the proceedings of the Society in reference to the painful event:

At a stated meeting of the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons, held fifth month 20th, 1869,

The President announced the death of our late fellow-member, Philip Physic Randolph, in the following communication to the Society :

MY FRIENDS—

Since we last met death has been in our midst. It has pleased the Almighty Disposer of all things to take from us a beloved and valued associate. Philip Physic Randolph has ceased from his labors. He died, after a brief illness, on the morning of the 4th instant, at his residence, South Fourth Street. Possessing an ample fortune, and high social position, enjoying the respect of his fellow-citizens, and surrounded by numerous and attached relatives and friends, life possessed many attractions for him. But the pleasures of the world never seduced him from the line of duty. His chief delight was in relieving the distressed and in comforting the afflicted.

You have had a full opportunity of witnessing the earnest zeal with which he sought the cell of the prisoner, the punctuality with which he attended the meetings of the Society, of this and other Committees of which he was a member. You know how we were drawn to him by the gentleness of his manners, and the modesty of his deportment. How he commanded our respect by the rectitude of his conduct, and our love by the purity of his life. Although we shall no longer be cheered by his presence, or instructed by his counsel, we shall have his example to encourage the lukewarm to be ardent, and the indolent to be active, and all of us not to be weary in well doing, and thus imitate our

departed friend, whose whole life beautifully illustrated the character of a Christian gentleman.

Joseph R. Chandler, one of the Vice-Presidents, then offered the following :

“Owing to its protracted existence, the ‘Society for Alleviating the Miseries of Public Prisons’ has had large experience in human vicissitudes, and has been called to rejoice in its own success, by the well directed efforts of its active members, and to lament the occasional failure or delay with which adverse circumstances have disturbed its plans or postponed their success. The aged and the good, who have contributed to the success and honor of the Society, have, from time to time, ‘ceased from their labors,’ and their loss has been deplored by their surviving companions, and their names and their services embalmed in the mournful memorials of the Society. All societies must suffer the loss of their old members, even though those *old* be the *best*; and the living have the knowledge of their virtues to stimulate to profitable imitation, and thus, perhaps, what the Society loses on the death of one or two of its aged, active members, may be compensated in the newly stimulated and well-directed zeal of the emulous survivors.

But when the young and the good die, whose practical philanthropy seems to dedicate them to the special service of the Society, and whose efforts illustrate their present power, and give promise of future capabilities to carry forward and improve and put into enlarged practice the views of their associates; when such die, in the midst of present and the full development of future

augmented usefulness, the surviving members for a moment yield to the force of the infliction, and ask whence is to be supplied the vacuum which such a death must cause.

This Society, since its last meeting, has been called to submit to the loss of PHILIP PHYSIC RANDOLPH, Esq., a member of our "Acting Committee," a gentleman whose self-sacrificing zeal in the cause of humanity, seems to have been excelled only by his extraordinary modesty.

The attention of this body is invited to a recollection of the quiet, unobtrusive member, who, in any debate, respectfully awaited the expression of opinion from all his seniors, and seemed by protracted silence, to invite his juniors to a free utterance of their views, and even then reluctantly to propose his own well digested ideas, and then to win the approval and concurrence of his auditors.

But if Mr. Randolph was slow to offer objections, and modest and deferential in sustaining cherished views, he was prompt, earnest, and effective in his efforts to carry out what had received the express sanction of his colleagues. He was ever ready to undertake labors, and incur and meet expense in efforts to present the views of this Society in parts where a knowledge of its benevolent plans did not exist, and to explain them to men who had misconceived their character.

Mr. Randolph beautifully illustrated the spirit of this Society, and assisted to give efficacy and extent to its labors, by visits of investigation, which he voluntarily undertook to almost every prison in the State. He was

determined to understand the evils which he would correct, and make the zeal of his colaborgers correspond with knowledge. To those missions, in a great measure, is due the ability of this Society to awaken the Legislature of the State to its duties with regard to public prisons. And the modest presentation of those great labors seem, by its author, as if intended to conceal the extraordinary difficulties of the work, and to present only the valuable results.

Perhaps few members of this Society possessed in a more eminent degree, the true spirit of Christian philanthropy than did Mr. Randolph. With him system seemed to be subordinate to object; and each case of suffering appealed to his heart with such a speciality of claim, that all others were for a moment forgotten ; and success, the result of his self-sacrificing labor, was never offered as an excuse for rest when a new object pleaded for consideration, or a familiar object pleaded for new assistance. Nor was the character or claim of any one allowed to become a precedent to hinder exertion, or withhold contribution in another's behalf.

He loved, respected, and sustained the great scope of this Society, and understood and regarded its organic rules ; but in carrying out those great intentions he became a law to himself. His own observation, his own experience in the past, and his own discernment of the future, made him a *discretionary* agent of this Society—filled with a *discretion* that made his efforts effective for the immediate benefit and future amendment of his suffering client.

Scarcely any subject was presented among us that

had not in some form attracted the attention and received the investigations of Mr. Randolph; so that he was prepared, not only with an opinion of its real practicability and usefulness, but he could advise as to the mode and means of giving it fruitful operation.

The prescribed theatre of action for Mr. Randolph, under the rules of this Society, was the County Prison. There, with affectionate earnestness, he invited the prisoner to "consider his ways, and be wise," while his encouraging advice held out motives for repentance. Nor was he slow in discovering the amount of guilt involved in the act for which the convict was suffering; and where there was any evidence of mitigating circumstances, he was persistent in his earnest appeals for Executive clemency, and very often he was successful.

How much is lost to the cause of humanity, and therefore to this Society, by the sudden cessation of Mr. Randolph's labors in behalf of the prisoner, we may, in some measure, compute, great as is their loss to us and to the suffering objects of his quiet, unobtrusive charity; but who shall estimate what is lost to the Society in the future by the withdrawal of such a member to whom we all had begun to look, to assume the place and discharge the duties now undertaken by his seniors.

It is little to say that those who love the Society, and labor in its name, had looked forward to the time when the brightest conceptions of usefulness would be realized in the commanding influence of Mr. Randolph, and the power of office passing into his hands, would be exercised with dignity, and transmitted for continued benefit.

But these hopes perish with his loss, these high anti-

cipations fail of fulfillment, and only the beautiful example of our lost companion is to be productive ; only the memory of his pure life, and the recollection of his modest self-sacrificing labor in the cause of humanity remain. Let that beautiful example be imitated. Let that blessed memory be cherished with growing fondness. Let that profitable recollection be vivid, to show at least that we can appreciate true excellence, and that we possess the virtue to be moved by the highest order of Christian philanthropy.

There are other associations that must mourn the loss which we now deplore, and other societies that have profited by the sterling virtues which we now commemorate. They shared his care, his sacrifices. A life so useful, on which so much of hope and reliance was fixed, was perhaps sacrificed by earnestness to perform *services* that became *duties* to him by *assumption*. We mourn with those associations their loss ; and we sympathize in their sorrow, which is our sorrow. We comprehend their crushed hopes of the future in the cherished object of this memorial—they were our hopes.

There are sorrows for the death of Mr. Randolph that are too sacred yet for the intrusion of our sympathy, reverend, deep as they are.

The mother of such a son as Philip Physic Randolph, must await the consolation which only time permits even to religion. It would be impossible for a mother to rear a son to such virtue without a maternal consciousness of the existence and influence of that virtue. It would seem almost impossible that a mother could feel such a support snatched away without an over-

whelming sense of deprivation, and, for a moment, crushed affection may look in vain for reason or consolation for the loss. Appreciating all the excellence of character, and all the usefulness of the labours of our departed colleague, we comprehend something of what a mother must suffer in the death of such a son ; but we know also that she who could have reared a son to such excellence of practical Christianity must have drawn her lessons from the teachings and examples of Him who will, in His own time, heal the wound that He has permitted.

On motion of William S. Perot, the memorial was approved, and the following resolution was adopted :

*Resolved*, That a Committee of five be appointed to convey the sincere sympathy of the members of the Acting Committee to the family of Mr. Randolph, for the afflicting loss they have met with, together with a copy of the proceedings of this meeting in relation to the death of PHILIP PHYSIC RANDOLPH.

James J. Barclay, Joseph R. Chandler, William S. Perot, Charles Ellis, and John J. Lytle, were appointed the Committee.

---

## FOREIGN REPORTS.

We have received from London our copies of Reports from the Reformatories and Industrial Schools, in England, Wales, and Scotland ; also the annual statement of the "Prisons of Scotland ;" also "The Annual Report of the Directors of the Convict Prisons of Ireland ;" all of them for the year terminating 31st December, 1868.

These elaborate Reports are deeply interesting to all in this country connected directly with the administration of public prisons, as they seem to illustrate in a considerable degree the effects of various kinds of discipline, and the character of labor that may be employed.

They more deeply interest those who, in the United States, seek to alleviate the miseries of public prisons, because in Great Britain and Ireland, as in France, the efforts at moral alleviation constitute a part of the administration of the prison, and hence come to be a part of the report of the directors, governors, or administrators.

We may add also, that these Reports are or ought to be of great interest to those who will, we hope, in a few months, hold official relations between the government of the penitentiaries and prisons, and the government of the Commonwealth, as "Commissioners of State Charities." This interest must be not alone in the minutiae of the information presented by the prisons to the State authorities, but also and greatly to the mode and manner in which that information is conveyed.

The Reports are beautiful specimens of careful and instructive tabulation; perhaps in beauty and minuteness those of the French are first, but those now before us are such as should command the attention of the new commission, and as far as applicable they should be adopted as precedents.

We have this year felt called upon to make copious abstracts of these Reports. They show the state of this species of public institution, and they also throw some light upon plans that seem yet unsettled. The condi-

tion of the prison question in this country is such that there is danger that a deep and overwhelming sense of the inefficacy of most systems of prison regulation in the country and the difference of opinion among those who have studied the question of prison discipline, will drive the uninformed, who may have power with the press or in the legislature, to some half measures, or in their attempts to escape the evils that exist, they will "fly to others they know not of."

---

## IRELAND.

The fifteenth Annual Report of the Directors of Convict Prisons in Ireland, is deeply interesting, from the fact that the statements have reference to the "Irish System," so much talked of, and in part so valuable. We shall in our present abstract specially notice the statements or suggestions that refer to the specialties of the Irish System.

In 1868 there were 246 convicts sentenced to penal servitude in the prisons of Ireland, viz.: 172 males, and 72 females, and 245 discharged.

Of those convicts the ages varied from 15 to 60, and upward. The greatest number, 50, being between 30 and 40 years.

The sentences during the year were from one year to life. As the legislation of our State must, at the present session, have reference to the commutation of sen-

tences, it may be well to give here a statement of the terms of all the convicts in Ireland, for the year 1868:

Three years penal servitude,	.	.	.	.	.	.	1
Four "	"	.	.	.	.	.	2
Five "	"	.	.	.	.	.	81
Six "	"	,	.	.	.	.	1
Seven "	"	.	.	.	.	.	71
Ten "	"	.	.	.	.	.	16
Twelve "	"	.	.	.	.	.	1
Fourteen "	"	.	.	.	.	.	4
Fifteen "	"	.	.	.	.	.	3
Twenty "	"	.	.	.	.	.	1
Less .	.	.	.	.	.	.	4
Total,	.	.	.	.	.	.	185

The sentences in England and Ireland are much heavier than in this country. On recurring to the table of the classification of crime on which conviction was had in Ireland, we notice that of 188 "larceny" brought 61 to the convict prison.

Of the 245 discharged in 1868, 82 completed the sentence and 163 were discharged on license (ticket-of-leave), that is, suffered to go out to work under the surveillance of the police. Of course these 245 discharged were from the conviction of previous years, as no person is sentenced to penal servitude for less than three (3) years.

Sixteen of these "ticket-of-leave" men returned to the prison. It is proper here to state that this apparent large number doing well in Ireland is only apparent, as we find in another table that in the time between 1856 and 1858, 219 of these convicts *emigrated* from

one single "reception house." From those licensed convicts, or "ticket-of-leave" (prison) graduates are derived the occupants of many of the cells of the prisons and penitentiaries of this country.

It is here eminently worthy of note that while, in the report of former years, it was stated that the demand in the factories and various industrial institutions in Ireland, for convicts licensed to go out, generally exceeded the ability of the prisons and refuges to supply—this year's (1868) reports have the following important statement, to which we invite the attention of our readers as sustaining some doubts which we formerly expressed :

"The prejudice of the public mind in Ireland against the employment of convicts in trades, is deeply rooted, and, until some change in the condition of things arises, the Directors can only employ convicts of the laboring class in producing articles for prison consumption."

Former reports set forth that there was a strong feeling in favor of the work of convicts. We know also that in this country there is an objection to convict work. While a large demand for any article exists, few trouble themselves, consumers or producers, how those articles reach the market. But when the market is glutted by convict labor, the honest artizan will denounce the system that invites him to be a rogue, or drives him away from competition with honest men, to make room for the production of felon labor.

The Irish Reports recommend that convicts be employed in making articles for cleaning purposes of all large government establishments.

The question of prison labor and its product is one

which is as yet unsettled, and the propriety of taking from the honest workman his means of continuing honest, and rearing his family in honesty, for the benefit and comfort of the dishonest, will not be admitted, if placed just in that light. It will not be denied that there are circumstances that justify the measure of making the prisoner concerned in supplying the market with certain productions. This is not the place to discuss that question.

In our statements last year and the year previous, of the Irish System, we mentioned that the first stage was separate confinement with much deprivation. Those who had done well in their probationary period, are then sent to other prisons for the second period.

Well conducted Roman Catholic females are drafted out of the place of first confinement, and sent to the Roman Catholic Refuge, at Golden Bridge. This movement seems to be successful, as also a similar movement of Protestant females sent from the first prison to the Protestant Refuge.

#### MOUNTJOY MALE CONVICT PRISON.

This is a prison to which the male convicts are sent for a probationary season. 185 were sent thither in 1868, and 123 were passed to prisons for the second period.

Those prisoners who are in this probationary (or first) stage, are employed in picking oakum, tailoring, and shoemaking, in their separate cells. One boy was flogged with birch rods it is stated. Birch, then, still

exists in Ireland. The offences committed by the prisoners while in their cells are those common to all inmates of prisons. The amount and character of work reported are much like that done in the County Prison in this city.

Most of the prisons in Ireland, perhaps all, have a physician and three chaplains. One Protestant (Episcopal), one Presbyterian, and one Roman Catholic, and these Chaplains have assistants, where the number of prisoners render such aid necessary. There are in some regularly employed and paid schoolmasters, and even a lecturer. All of these officers make special report of their labors and the results.

We are struck with the following remark in the Report of the Protestant Chaplain for the Mountjoy Male Prison :

“I have closely watched the prisoners in probation, and my experience of the past year strengthens me in my opinion, expressed in my last report, that the SEPARATION carried on with regard to that class has a very salutary effect, and that many subjected to this, as it appears to me, wholesome discipline, may almost be said then, for the first time in their lives, to have a serious thought.”

What a clear testimony is this to the value—the infinite value of the separate system !

This separate confinement has fruits worthy of note. The Roman Catholic Chaplain for the same prison, thus speaks :

“The men have been, with very few exceptions, attentive to their religious duties, have profited by them,

and become in reality reformed." He adds: "The prisoners who leave 'Mountjoy' go out in general with a sufficient knowledge of religion and their duties to God and man."

The same Chaplain bears testimony to the good effects of the fair and conscientious treatment of the prisoners by the officers of the prison. He also recommends that the prisoners in the first stage of the system be allowed to profit by "overwork."

The Presbyterian Chaplain thus bears testimony to the value of personal, individual interviews with the prisoners:

"The weekly cell-to-cell visitation has been observed, and with closeness of personal converse the importance of spiritual things has been brought home to them individually."

The Report of the School Master is gratifying.

The reports of the various officers of the Spike Island Prison are good.

It is wonderful how certain early religious considerations hang about people when the object of these considerations seem to be lost sight of. The Presbyterian Chaplain of Spike Island Prison has had a portion of the inconvenience which is experienced by his reverend brethren who are settled clergymen. In his little congregation—all prisoners convicted for the second time at least, gave him much uneasiness by their different opinions upon Psalmody and Hymnology—a part of his charge refusing to sing hymns, because they are not inspired, and demand that nothing shall be sung in Divine worship but the Psalms of David. Meantime the con-

victs who lead the music like to have some hymns. A compromise was effected temporarily. Hymns and Psalms are both sung. Men may smile at such a division of opinion, so strongly contested, upon such a subject, and by twice convicted convicts—but it appears to us that the tenacity of opinion shows a deep impression of religious ideas, that may admit of some more important truths. Such a feeling, even in convicted felons, should be respected, it may be all that is left of maternal instruction—the single point in the moral constitution to which a new attachment can be made—“the smoking flax” that is not to be “quenched.”

In looking over the reports of the chaplains of the Female Prison at Mountjoy, we find that they concur in a high estimate of lady visitors. The Protestant chaplain says: “The lady visitors kindly continue to give us their valuable aid, and our Ladies’ Committee of the Refuge is attended regularly.”

The Roman Catholic Chaplain, and the Religious Sisters of Mercy, have been of great assistance to us during the year, both by instructions given by them in prison, and by their admirable management of the St. Vincent’s Refuge, at Golden Bridge.

It is gratifying to know from the reports, that in the intermediate prison, that is, when the separate confinement is dispensed with, the discipline of the former part has produced some good effect, and the prisoners enjoy full religious instruction, and both Protestants and Catholics have and use the privileges of the sacrament of their respective churches.

It seems that after the first term of separate confine-

ment, and the intermediate stage of social imprisonment, many renew their offences on going out, but we are free to say, that with the admirable administration which exists, if the prisoners could be kept separate for the whole term, their term might be shortened, and very few would return to their crimes and imprisonment.

---

## SCOTLAND.

### PRISONS.

In looking over the statistics of foreign prisons, one naturally feels an interest in the case of such institutions. There are in Scotland seventy-three (73) prisons of all kinds. Of these there are seven (7) of which no account is given, because the average number of prisoners in each is less than five (5.) So that in Scotland the whole number of prisons reported is sixty-six, (66,) and in the course of the year ending in June, 1868, there were confined in those prisons 30,065 prisoners, with an average of 31 days each, and the average daily number in custody was 2,551. The gross cost of maintaining all the prisoners, counting the salaries, diet, clothing, bedding, lighting and fires, was £24 11s. 7d. per head. The average earnings of the prisoners (in all the prisons) was £3 8s. 6d.; so that the nett cost of maintaining each prisoner, after deducting all earnings, was £21 3s. 1d. This includes a general average of all the prisoners of all kinds. But these separate statistics relate to the same prisons, but including only the prisoners

sentenced to six months or upward. Of that class there were in all the prisons of Scotland 936, whose total earnings for the year was £4,473 16s. 6d., averaging £4 15s 7d. each. In the General Prison, that is the Penitentiary at Perth, the average was £5 0s. 3d. each prisoner. It will be seen by the above that each prisoner costs £21 3s. 1d.—about one hundred (100) dollars in gold.

In the Perth prison, or Penitentiary, where work is regular, and the average duration of imprisonment ten times longer than in most of the other prisons, the cost of maintaining each prisoner is £25 0s. 2d. about \$120 00 in gold, and that, too, when almost every article, as well as salaries and wages, is much lower than in this country.

There are in Scotland seventy-three (73) prisons, and the total amount of salaries of all kinds of officers that govern and keep them, is £26,419 5s. 2d., about \$130,000 in gold. Of course some of these prisons are only "lock-ups," but they cost. Arbroath, Brechin, and Montrose, each expends £2 2s. in salaries. The General Prison, or Penitentiary, at Perth, pays £7,665 1s., and has a total expense of £18,381 4s. 11d. while the total cost of all the prisons in Scotland for salaries, food, furniture, contingencies, &c., is £62,708 13s. 4d.

We notice one good feature in the statement of current annual expenses, viz., £607 8s. 11d. for retired allowances to good officers, who, having given their best days to the service of the institutions, are not, when physical power fail, to be turned out of office and home, with no means of living, and no power to earn those means.

It is somewhere stated in these reports that the number of imprisonments decreases in Scotland, yet the tables do not so present the case. For example: the commitments in the year 1861 were 18,575; in 1866, 23,423; in 1867, 25,726; in 1868, 26,843; certainly a steady increase. And the number of sentenced prisoners (felons) increase in the same ratio. Juveniles, sentenced to be whipped in 1867, amounted to 86; in 1868 over 135.

In 1867, there were sentenced to transportation and hard labor for life, 176, and in 1868 the number was 223.

The number who had been previously committed to the same prisons is very considerable, and constantly increases; in 1867 it was 12,700, and in 1868 it was 13,574. Of these "repeaters," or as the French denominate them, "*Recidives*," there were in 1867, 329, and in 1868, 335, who had been committed fifty times or upwards.

We have said that the tables show an increase of commitments for almost every kind of offence, and of persons of almost every age, while the Reporters say that crime diminishes. This opinion may be correct, notwithstanding the augmentation of the number of commitments. Perhaps a more vigorous police is employed, and a more careful and severe prosecution of offenders is adopted. In that case the number of offences may well be diminished, while the number of punishments of offenders may be increased. Indeed the former is a probable result of the latter.

In noticing the ability of one of the large prisons to accommodate the prisoners, the Report intimates that

the prison is likely always to be full so long as the number of those sent thither is sufficient to fill it. It would appear that something less than the usual acumen of a Scotchman was required to make that discovery.

In looking over the table of commitments we find that of the whole number committed *for crime* in all the prisons of Scotland in 1840, a little more than half were females, viz., males, 1,264; females, 672; the difference diminishes so that in 1859 there were 1,098 males, and 1,093 females.

The prison of Ayr is one of considerable rank among the penal houses of Scotland, especially because it is larger than the wants of the county, so that it is made a sort of general prison or penitentiary, for the relief of other prisons. Many, indeed most of the prisons of Scotland are crowded, and as commitments are on the increase, there is likely to be less of separate confinement than is now possible.

The prison of Ayr seems to be the favorite for female convicts.

It must be noticed that the prison department of Scotland is independent of that of other parts of the United Kingdom, for which Parliament makes special annual appropriations, amounting to £38,534 9s. 2d., while the County Boards assess for these prisons, £40,-762 3s. 2d., making a total by Parliament and counties of £79,316 12s. 4d.

Separate confinement is the general rule of the prisons of Scotland, but there are circumstances which lead to associated confinement. These changes are under the

direction of the resident physician, and are of course referable to the health of the prisoner. Of these, thirty (30) cases are given. The unhappy persons were idiotic, epileptic, imbecile, insane, blind, weak minded, &c. One person we notice was allowed a companion, because he was a Highlander and could speak no English; the Highlanders knowing no English suffer mentally unless associated.

It is gratifying to notice that great care is given to the case of persons charged with criminal acts who are suspected of insanity, and ample report is made of all such, with the final disposal and condition of the prisoner. The trial is sometimes suspended, often the prisoner is not brought to trial, but placed where he can do no harm. If he is declared insane on trial, he is not, when acquitted on the ground of insanity, discharged on evidence of soundness of intellect. The Report states that the number of insane criminals is constantly increasing, and demands enlarged accommodations, that there may be applied some alleviating process and treatment.

### WEIGHING.

It seems that every convict is weighed when received into the prison, and again weighed on being discharged. Of 735 females who had served out long sentences, 46 on leaving had neither lost nor gained in weight; 346 had gained, and 343 had lost, 53, five per cent. Of 532 men, 15 remained stationary, 394 gained, and 123 lost in weight, 76, 8 per cent.

## SALARIES.

The salaries at the Perth prison are worth noting: Governor, maximum, £550; Deputy Governor, £300; Chaplain (Presbyterian), £300; Visiting Roman Catholic Priest, £70; Visiting Episcopal Clergyman, £50; Bible Reader, £130. The wardens, clerks, &c., get much lower salaries than the Governor, but all have residences, with gas, and the salaries increase with the length of service. The salaries of females, wardens, &c., are £53 and £45.

## PERTH GENERAL PRISON.

The sentences in Scotland are much more severe than in this country—transportation for from fourteen to twenty-one years and for life.

The penal servitude, that is, imprisonment and hard labor, is from four to twenty-one years and for life. By far the largest number is for seven (7) years. The relations of the sexes in the different prisons is worthy of note.

Of those who are simply imprisoned, and with short sentences, for nine months to two years, there are 567 men and 290 women.

Of those who are to be transported for from fourteen years to twenty-one, and for life, every one is a female, and those for life are the most numerous.

There are undergoing sentences from four years to twenty-one and for life, 454, viz., 270 females and 184

males. Of the seven sentenced for life, six are females and *one* is a male.

We do not think that there is a single prison in this country where the number of female convicts exceeds that of the males.

The number of prisoners in custody in this general prison or penitentiary, at the close of the year 1868, was 752, viz.: 376 males and 376 females. Of these 298 had been in the general prison before, 87 males and 211 females.

We notice also that many are returned having forfeited their order, or license—their “TICKETS OF LEAVE.”

### LENGTH OF SENTENCES.

We have frequently stated that some difference in discipline between the prisons of this country and those of Scotland must be consequent upon the difference of terms. Something of the difference and of the greater severity of Scotland may be inferred from the following statement of offences and sentences: Sheep stealing, six years; theft, by housebreaking, five years; theft and previous conviction, five years. We do not know what amount of time the sentence for sheep stealing would include in this country, but it has always appeared that such an act is rather one to ensure lasting contempt than extended imprisonment.

### INSANE.

The arrangements throughout Scotland for the proper

care of insane criminals is admirable, and denotes a considerable advance in this branch of prison science. We do not know but quite as much was hoped for by citizens generally by the erection of the State Asylum for the Insane, near Harrisburg. But it is not consistent with the true principles of humanity that the felon should be associated with the respectable.

It is said that the number of criminal lunatics greatly increases in Scotland. In this country we should say that the increase is less in the convicted than in the untried.

#### MARK SYSTEM.

In Scotland as in other prisons of Great Britain, the Mark System includes also the Ticket-of-leave, whereas the term Mark System really ought to be applied only to that part which allows the prisoner to earn a reduction of the time by good conduct of all kinds. The Governor of the Female Prison of Ayr, says :

“The Mark System continues to work well. It is beneficial to both the prisoner and the prison. It promotes good behavior among prisoners, and encourages them in habits of industry; and every year since its introduction there has been a steady decrease in the number of punishments, and the profits from work have year by year been increasing. Notwithstanding the greatly increased amount of work done by prisoners, complaints by them of overtasking are becoming more and more rare.”

The satisfaction of prisoners results, of course, from

the fact that they obtain pay for their work by the time which is taken from the term of their sentence by good conduct. It may then be supposed that in Pennsylvania no less contentment would be found, where not only reduction of time is made from the sentence, by good conduct, if the new law should go into general effect, but where the system of "overwork," as it is called, enables a shoe or bootmaker to earn a hundred dollars a year, or more, after paying two dollars and fifty cents a week for his board.

The Mark System, it will be seen, is lauded, and, as it appears, not without cause. The error, it seems to us, is to impute to the license, or Ticket-of-leave System, the good fruits of the Mark System—fruits that are alone produced by the Mark System.

We have no means of telling what is the exact result of the second branch of the Mark System, viz., the return to association of convicts and the ticket-of-leave, as time sufficient has not transpired to show what is the effect of the guarded liberty upon the half-discharged convicts, who have been kept in close association with other convicts before their discharge. We see occasionally a report of one or two who have been re-committed for a violation of their ticket-of-leave, that is, recommitted to the same prison; but we do not know how many of these ticket-of-leave people who have been licensed out of Perth and Ayr prisons have been arrested and sent to the other prisons of Scotland, or to those of Yorkshire, Lancashire, or London. They are not likely to renew their depredations in the immediate vicinity of their old places of punishment, where they are well

known, and where a new sentence takes with it also the fulfillment of the conditionally pardoned part of the former sentence.

We notice that some of these ticket-of-leave women *are discharged to be taken by some friend to America.* It would seem that the Scotch prisons depend upon the Separate System to produce good promises, and punish a want of fulfillment of these promises. And also that all the short comings of convicts are due to association.

### REMOVAL FROM PRISONS.

Convicts sentenced to more than nine months imprisonment, have to be removed from the local prison to the General Prison, or Penitentiary; or a convict sentenced to transportation is to be sent from the place of trial to London, to be put on board the transport ship and conveyed to the penal colony. These removals are made subject to special and close legislation. And as removals are practised in this State (as taking convicts from the interior counties to the two Penitentiaries) we shall notice some of the provisions of the British laws as operative in Scotland. No step is taken without such provision as will secure to the country the safety of the convict, and to the convict the safety of his remaining rights.

Here is a provision eminently worthy of notice. In the removal of every female prisoner, at least one female officer shall accompany her during the whole course of the journey.

Every prisoner, before removal, shall be provided with

suitable clothing against the weather, and a bed-rug, flannel shirt and drawers; in the winter there shall be shirts, drawers, stockings and shoes.

And officers employed in these removals have a fixed allowance beyond their usual salary. The whole arrangements for the removal of prisoners are wonderfully minute as it regards all that concerns officers, court, or prisoners.

---

## REFORMATORIES AND INDUSTRIAL SCHOOLS.

### GREAT BRITAIN—REFORMATORIES.

There is in Great Britain a class of schools partaking of the character of "Houses of Refuge," which are denominated there, Reformatory Schools, of which there are 64, situated as follows : In England, 36 for boys, and 14 for girls; in Scotland, 8 for boys, and 6 for girls.

Of the qualifications, or disqualifications, for admission to these reformatory schools, we are not exactly apprized, but we infer that crime of some kind or another must be found, as we find the term "*convicted*" is used with regard to most of the boys and girls placed in these institutions. These schools, then, are prisons, places of penal residence, wherein reformation is a primary consideration.

These reformatory schools are under the care of a staff of officers and assistants, usually a Superintendent

and his wife, and a Schoolmaster and assistants. Of course, the location would have an effect on the number and profession of the staff: for example, the scholars in cities or large towns, must find employment chiefly in doors in shoemaking, tailoring, sewing and knitting. If the school is in a small town, or in the country, the boys are employed on the farm, in the garden, in the workshops, and in the fields of neighboring farmers. Of course, attention is paid to education, and a Chaplain, or religious teachers, have a place in all these schools, and the result of their labor in the division of education and religion is given in the Report. The girls in these Reformatories, are employed in work suited to their sex—sewing, house-work, bread-making, &c.

In Great Britain and most of its dependencies, as there is an established religion, that is a religion of the State, there is usually a special reference to other creeds in all great movements that include moral and religious training. Hence we notice that these Reformatories are classed with reference to the religion of those placed therein for discipline, and whilst the police and general government are alike in most, the direct administration and religious training are confided to persons of the same creed of the involuntary inmates. We consequently find the following classification of the schools in Scotland and England, including Wales: Six of the English schools and two of the Scotch, receive Roman Catholic offenders only, and these Reformatory schools (or Houses of Refuge) are thus located:

In England, Brook Market, Market Wighton, Mount

St. Bernard, and the Clarence Ship, are for boys. Arnos Court and Sheffield, for girls.

In Scotland, Parkhead, for boys; Dalbeth, for girls. Two of the English schools for boys receive both Catholic and Protestant; the others are for Protestants only. Two more Reformatories are about to be established in Lancashire for Catholic boys.

At the close of 1868 there were in these Reformatories,

**PROTESTANT SCHOOLS.**

	<i>Boys.</i>	<i>Girls.</i>
England,	2,967,	694.
Scotland,	781,	187.

**CATHOLIC SCHOOLS.**

England,	1,052,	186.
Scotland,	272	109.

and there were 43 Catholic boys in two Protestant Reformatories.

The report while it regrets an addition to the number of youths committed to these Reformatories, finds a just occasion for felicitation in the fact, that the number of those "placed out" in different employments is largely increased, and the number of absconders is greatly diminished. Children are sent to these Reformatories at an early age, and are liable to these kinds of imprisonment till they are sixteen years old.

We notice that the smallest number of committals are of those under *ten* years, viz., 17 boys and 2 girls. The proportion of girls to boys is less than one-eighth. Between 10 and 12 the commitments are 207 boys, 50 girls—less than one-quarter; between 12 and 14, boys

518, girls 120—less than one-quarter; between 14 and 16, boys 577, girls 149—more than one-quarter.

Of the effect of discipline and reformatory care upon the two sexes, some judgment may be formed by the following statement of the number of boys and girls committed in 1868, and of the number of their previous convictions.

	<i>Boys.</i>	<i>Girls.</i>	<i>Excess of Boys.</i>
Not before convicted,	899,	644,	255.
Once before        "	512,	433,	59.
Twice before      "	156,	146,	10.
Three times before convicted,	59,	54,	5.
Four times        "        "	23,	22,	1.

It is worthy of note here that the proportion of girl “Repeaters,” or recommitted, increases rapidly with every repetition. This does not seem to be specially noticed by the authors of the reports; but in all such matters there seems to be a cause; “this effect defective comes by cause.” Of course, those most frequently committed are the oldest, and after a certain time the “girl” begins to understand that she loses “caste” by her misconduct much more than does the boy, and as she has much less to lose by each commitment, thinks she has much less to hope for, by a change of conduct, she becomes reckless, and by frequent commitment to the reformatory, becomes a successful candidate for the prison.

The number of first commitments have increased nearly one-half. This can scarcely be a consequence of increased crime, but rather, we think, the more extensive and thorough working of the Reformatory System,

while the number of those committed twice before, has decreased by about one-third, and those committed three times and upward have decreased by nearly three-quarters. This also we consider as the effect of the operation of the system—the just, judicious, and humane administration of the law. Complaint is made that some who had been frequently committed are, in their recommitment, placed with those inmates that have not been so hardened in crime. It would seem that some contrive to escape and avoid arrest.

Less than one per cent die.

Of the number who have been admitted and discharged, that remain to be accounted for, viz., 2,763 boys and 747 girls—one thousand eight hundred and twenty-four (1824) (66.5 per cent.,) and 492 girls (65.9 per cent.,) are reported as known to be doing well; 106 boys (3.9 per cent.,) and 87 girls (11.6 per cent.,) to be of doubtful character; 470 boys (17 per cent.,) and 71 girls (9.5 per cent.,) to have been convicted of crime; and 345 boys (12.5 per cent.,) and 97 girls (13 per cent.,) to be unknown.

It seems that much greater success attends the labors in some schools than in others. For example: In the Reformatory school in Northamptonshire, remarkable both for the efficiency and economy of its management, the ratio of entire success reached 96 per cent. And in the Roman Catholic female Reformatory the percentage is 100—that is not one single girl that has been placed or bound out from that Reformatory, *not* one failed to realize all the hopes, and fulfill all the promises in her behalf, while in some of the Reformatories the average

is as low as 33 per cent. We find it difficult to judge of the comparative value of discipline and instruction in these Reformatories, so much must depends upon the circumstances of children before they enter, and so much must also depend upon the surroundings of the institution.

We have already stated that the criminal statistics for the year 1868, show an increase in the number of convictions. In 1867 the number of commitments of offenders of all ages for England and Wales, rose 6 per cent.; but in 1868 it advanced more than 9 per cent.; but the increase of juvenile offenders is only 5 per cent. in England and Wales, while in Scotland the increase is more than 10 per cent. This is partly owing to the failure of the House of Refuge in Glasgow. As a general rule we may say that crime is on the increase in Great Britain with the old and young, or the detection and punishment of criminals is more thorough.

These Reformatories are maintained by payments from the national treasury, £77,351, parent's payments, £3,019, subscriptions, legacies, &c., £10,226, contributions from rates, £17,823, voluntary associations, £722, sundries, £2,297, industrial profits, £10,829.

The average total, per head, for English *boys'* Reformatories, including the loss or gain in the employment of the inmates, was £18 19s. 10d., equal to nearly \$95 in gold. The earnings of the boys, considered in that average, was £1 15s. 4d. per head.

The English *girls'* Reformatories averaged, after deducting earnings, £3 7s. 6d. per prisoner—£16 15s. per head.

In Scotland, the average of cost for boys and girls was less.

It is worthy of remark that some of the costs of certain of these young persons consist in money expended in their "emigration." These emigrants are a species of juvenile ticket-of-leave persons.

The Report speaks of the importance of having a special Agent for these Reformatories, who can assist in procuring places and means for some of the retiring inmates.

The Reformatory School whose existence and operation we have been noticing, are similar to the "Houses of Refuge" in this city. The "detained" have been committed for some violation of the law. But they are considered under restraint for instruction and moral improvement.

The other class of schools are denominated

### INDUSTRIAL SCHOOLS.

These institutions receive some needy and erring children, who seem to be placed and retained by authority, but not for crime, and at the same time the school receives boarding and day scholars, who are subjected to the same discipline, studies and labors as are the others. All these institutions are under Government direction. These schools are supported by the same means as are the Reformatories, viz.: Government allowance, parents' payments, subscriptions, legacies, and payment of County or Board rates, volunteer associations,

&c. And the average cost per head is about the same in the industrial as in the reformatory schools.

These industrial schools are also designated as Protestant and Catholic.

All the children put into these industrial schools are made to work, if in health, and the various pursuits are printing, tailoring, shoemaking, weaving, indoor; and gardening, brickmaking and other outdoor labors. Reading, writing and ciphering are taught in all of them, and each child is under the religious training of some clergyman of his own denomination. Many of the industrial schools for Catholic girls are under the direction of Sisters of Mercy, and other ladies of various religious orders.

The Report states that there is in the town of Liverpool seven industrial schools for Roman Catholic children, receiving about one thousand inmates, and others projected. There are only two Protestant schools of that kind in Liverpool. Some of the Catholic schools for boys are under the direction of the Christian Brothers.

We notice that there are in Liverpool two orphan asylums for Roman Catholics, one for boys and one for girls, yet both receive the same support from the State that is allowed to the penal institutions.

There is also a Roman Catholic Refuge, in which it seems there is, among other employments, a regular printing establishment, in which the work of the "Northern Express" is done. The inspectors doubt whether that is a proper business for such an institution, when it is so liable to be put to political uses.

There are two "Ship Schools," in which boys are trained for the sea service, commercial and national.

It is said of the "Clarence Ship" that she is a Roman Catholic school for boys, stationed at the New Ferry, Liverpool. There were, say the inspectors, only 16 boys in the first class, and about 20 in the second. The boys went through with their nautical exercises very creditably. There is another ship school.

These various juvenile institutions we have noticed at an unusual length because we would draw the attention of our readers to the kind of institutions here represented. They are very important in Great Britain, and are becoming necessary in this country. They may be the means of checking the current of vice that seems to threaten to inundate this country, and it is to be hoped that the new Commission of State Charities will consider the importance of such schools or refuges, and seek to bring the class of pupils that shall attend them under that discipline which shall bring something out of the dangerous masses of neglected boys and girls, better than has yet been found. We do not suppose that we can have any schools exactly like those in England, especially in their government and responsibility. But allowing for the difference in the customs and plans of the people, and especially in the character and influence of the government, we might hope that something would be done to bring the poor within the influences of that education which is so important in this country, and to place the vicious under the influence of a discipline which is so important in all countries.

There is a State Church in Great Britain, and it

might be expected that it would be now as in former times, that whatever partook of State (or public) correction, supervision, and pecuniary aid, would be thought the channel of the State religion, but it appears to be different in the cases which we have noticed. The reformatories and the industrial schools, all for young folks of both sexes, in England and Scotland, are classed according to the religious creed of those who are to be received and educated therein. They are either Protestant or Roman Catholic, where there are in the neighborhood enough of qualified inmates to fill a school; —where there are not enough Catholics to form a school, the children of that creed are sent to the Protestant school, but are submitted, in their religious instruction, to the care of clergymen of their own faith. Much of the money required to maintain these schools is derivable from the general funds, yet they are placed at the disposal of these schools, which are by character and designation denominational. For example:

Mount St. Bernard's Reformatory, a Roman Catholic institution, costs annually £5,694 19s. 8d.

Out of that sum parents pay only £73 6s. 9d., and subscriptions and legacies £376 9s. 6d., while the State pays £3,882 14s. 10d., and the county or real estate in the county pays £1,814 7s. 11d., and that is about the average of the distribution of payments in all the schools. There are some indeed where the parents can pay nothing.

We notice that near the town of Liverpool some of the Catholic Reformatory and Industrial schools have provisions for receiving servant girls out of employment,

a provision which experience in the cities of the United States has shown to be very important and desirable.

We have noticed above that printing is introduced into one of the schools, and that the inspector suggests that it is liable to censure, as the type and press are used to issue a political paper, but no objection is made to the use of type and press for general purposes. Music is taught in several of the schools, with the view of forming military and navy bands.

We notice that censure is given to the habit of boarding out some of the boys employed on farms. "That is excellent in theory," says the report, "but fails decidedly in practice—the control of the boys is lost."

The reports bear testimony to the excellence and efficiency of female teachers. In St. Mary's Industrial School, Liverpool, 400 boys are under charge, and the report says "the instruction of the large body of children is carried on entirely by FEMALE teachers, and is very effectively conducted."

We notice in the schedule of the schools and the list of officers, that there is one officer called Hon. Secretary. These officers seem to be gentlemen of distinction in the immediate neighborhood of the school, and in many cases they are clergymen. Thus, *Boys' Refuge Industrial School* for Roman Catholic boys, Hon. Secretary, Rev. James Nugent, 22 Soho street, Liverpool. *Church Farm Industrial School*, East Barnet, Hon. Secretary, Lieutenant-Colonel Gillien. This certainly is an excellent method of presenting the institution to the public. It shows that it has the approval and the co-operation

of those who command public respect; and especially that part of the public that are deeply interested in the schools, viz., the inmates and their parents or friends, on one side, and the humane and the public authorities on the other side.

---

## CONCLUSION.

Less than usual has been said in the present Journal of the movements in this State towards forming and conducting to useful results associations for the Alleviation of the Miseries of Public Prisons. The spirit which we have heretofore remarked as expressive of, and ministering to, humanity, is yet active, and societies are being formed, and those already formed, are active for good; and when the Legislature of the State shall fix upon certain measures for giving uniformity to prison discipline, we may look for a hearty concurrence of action by the people.

Individuals that have already distinguished themselves by labor and sacrifice in the cause of humanity to prisoners, are yet active, full of zeal, and abundant in good works. The readers of the Journal are familiar with the name and services of Jeremiah Willits, an aged member of the Society of Friends, who for several years visited most of the Prisons and Almshouses in this State, and many of the Western and Southern States. An account of a part of his labors was given in previous

numbers of the Journal. More than a year ago Mr. Willits removed his residence to Richmond, (Virginia,) and having a knowledge from personal inspection of the condition of the principal prison there, he set himself about an alleviation of its miseries with a zeal and judgment that seem his specialty in that direction. Schools were formed, and religious instruction introduced, and the whole aspect of the prison was soon changed. Mr. Willits was fortunate enough to enlist the good will and valuable services of the Warden of the prison, and so all his efforts were made easy by the example of the Warden, and the concurrence of the chief officers. The effect already wrought among the prisoners is said to be most noticeable. And the affectionate confidence which Mr. Willits has secured among the convicts, gives the highest hopes of great and beneficent results, which will be permanent.

Mr. Willits' attention is specially given to the inmates of the State Penitentiary, in Richmond. The deep solicitude he felt for the improvement and instruction of these men we have occasion to know, and a little event at the close of the year 1869 shows how his services are appreciated in the Penitentiary, where they are rendered

It seems that according to the Southern custom some observances were to note the departure of the year. A little better food, social gatherings, reading, singing, and other religious exercises, and it could scarcely be that the cause of such unanimity of rejoicings would be overlooked, and accordingly we learn that the following invitation was sent to Mr. Willits:

## A LETTER.

*Office of Superintendent Virginia State Penitentiary.*

RICHMOND, December 28th, 1869.

We shall be most happy to have Father Willits and daughter with us when we part with 1869 and welcome 1870. To the best room and best bed in the house of the Superintendent, Father Willits is invited. To the best room or place in the Chapel, Father Willits is invited.

Six hundred and twenty convicts, the Superintendent, and all the officers, thank Father Willits for past services, and hope he may be present on the occasion referred to in the enclosed slip of paper.

Your unworthy friend,

BURNHAM WARDWELL.

This side Heaven nothing could be a more satisfactory acknowledgment of duties accomplished, than such a letter. We congratulate Mr. Willits and his amiable colleague.

We do not count Mr. Willits less of us because he is in a distant city; the relations with us are strengthened and endeared by the forceful and beautiful illustration which he gives of the motives and principles of our Society.

We look to these migrations of members as a means of extending a knowledge of our plan and of augmenting its usefulness. To have been with us and of us is proof of a participation in our principles and our labors. For one to go elsewhere is to take with him a part of that which makes us useful, it is to scatter the vital principles of active philanthropy, and to cultivate them into more extensive usefulness. The bee that wanders

from field to field, often takes with him from flower to flower the pollen that gives fecundity to the plant.

We close our annual report with the hearty wish that the efforts of the humane may always be prudent as well as earnest, and that they may be made eminently profitable to society by the benefits which they shall produce to individuals.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*

*January, 1870.*







NEW SERIES.

NO. X.

# THE JOURNAL

OF

# PRISON DISCIPLINE

AND

# PHILANTHROPY.

PUBLISHED ANNUALLY

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

JANUARY, 1871.



PHILADELPHIA:

J. B. CHANDLER, PRINTER, 306 & 308 CHESTNUT STREET, [GIRARD BUILDING.]

1871.



**ROOMS OF THE**  
**PHILADELPHIA SOCIETY**  
**FOR**  
**Alleviating the Miseries of Public Prisons.**

---

*At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month (December) 15th, 1870, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, A. JACKSON OURT, M. D., CHARLES ELLIS, and WILLIAM HAWKINS, presented the draft of the Annual Report, which being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.*

*At a Special Meeting of the Society, held Twelfth Month 15th, 1870, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they may think proper.*

*The Report to be signed by the President and Secretary.*

**JOHN J. LYTHE,**  
SECRETARY.

## TABLE OF CONTENTS, WITH AN ANALYSIS.

---

### **REPORT.**

The title of our Journal considered, . . . . .	9
Daily visitations to the cells, . . . . .	10
Each month has its report, . . . . .	10
The Society keeps in view the principle of its organization, . .	10
The action of this Society affecting other similar institutions, .	11
First, labor for the individual, . . . . .	11
Not effected distant objects this year so much as usual, . . .	12
Board of Public Charities approved, . . . . .	13
Improvements to result from the Board, . . . . .	13
Whatever changes may be made, visitation to prisons must be continued . . . . .	14
Movements continued in other parts of the State, . . . . .	15
Stated meetings of the Society regular and well attended, . .	16

### **EASTERN PENITENTIARY.**

Largest portions of our visits are to the Eastern Penitentiary, .	17
Good effects of these visits, . . . . .	17
Consolation to the laboring visitors, . . . . .	17
Appointment of Dr. Townsend as Warden, . . . . .	18

### **COUNTY PRISON.**

Number and character of visits thereto, . . . . .	19
The female visitor welcome and useful, . . . . .	19
Duties of visitors, . . . . .	20
Labor hopeful even if not at once successful, . . . . .	20
Future effect of the apparently neglected lesson, . . . . .	20
Constant labors of the visitors, . . . . .	21
Reasons why the County Prison may not be enlarged, . . . . .	22
Possibility and perhaps need of a City Penitentiary, . . . . .	23

## CONTENTS.

v

• Necessity of more funds to aid discharged convicts,	. . . . .	23
Good effects of kindness and attention, . . . . .	. . . . .	24
Aid needed, . . . . .	. . . . .	25

***COMMUTATION LAW.***

Now applied to County Prison, . . . . .	. . . . .	25
Admirable operation of the law, . . . . .	. . . . .	26
Convicts in Penitentiary, . . . . .	. . . . .	27
Prisoners of all kind in County Prison, . . . . .	. . . . .	27
Great reduction in the number of female prisoners,	. . . . .	27

***AGENT.***

Mr. Mullen continued as Agent, . . . . .	. . . . .	27
His services not be rendered by others, . . . . .	. . . . .	28
His settlement of cases, . . . . .	. . . . .	28
His labors approved by the Courts, . . . . .	. . . . .	29
Mr. Mullen's co-operation with others in the good work, .	. . . . .	29
Numerous cases settled by Mr. Mullen, . . . . .	. . . . .	30
Review of Mr. Tallack's paper, . . . . .	. . . . .	35
New interest, creating new views, . . . . .	. . . . .	35
Motive of Mr. Tallack, . . . . .	. . . . .	36
Mr. Dickens' mistakes, . . . . .	. . . . .	36
Mr. Tallack's great error, . . . . .	. . . . .	37
Seeks his information at wrong sources, . . . . .	. . . . .	38
Eastern Penitentiary charged with changing its discipline, .	. . . . .	39
Mr. Tallack's misstatement with regard to former and present prison discipline, . . . . .	. . . . .	40
His neglect of the Penitentiary reports, . . . . .	. . . . .	42
Mr. Tallack approves of separate confinement, . . . . .	. . . . .	43
Mr. Tallack's view of the causes of crime, . . . . .	. . . . .	46
General notice of Mr. Tallack's pamphlet, . . . . .	. . . . .	48

***CASIERS JUDICIARES.***

Remarks upon the intention of criminal law, . . . . .	. . . . .	49
Description of Casiers Judiciares, . . . . .	. . . . .	51
How they are used, . . . . .	. . . . .	52
M. Bonneville's application of the Casiers, . . . . .	. . . . .	53
Some other uses than Court cases for Casiers, . . . . .	. . . . .	54
Casiers Judiciares thought to be applicable to all countries, .	. . . . .	56

***PRISON MATTERS IN THE UNITED STATES.*****MASSACHUSETTS**

Growing policy to place pauper children in families, . . . . .	57
Massachusetts State prison pays, . . . . .	58
Other prisons in the State do not pay, . . . . .	58
Statistics of the State prison, . . . . .	58
Drunkenness not extensive in Massachusetts, . . . . .	59
No drunkard in Plymouth County Jail, . . . . .	59
No prisoner in Barnstable and Edgerton Jails. . . . .	59

***NEW YORK STATE REPORTS.***

A well prepared and well printed statement, . . . . .	59
The New York system is for money making, . . . . .	60

**SING SING.**

Employment of prisoners, . . . . .	61
How books are provided, . . . . .	61
Crowded state of the prison an evil, . . . . .	52
Occupation of prisoners before conviction, . . . . .	62

**AUBURN PRISON.**

Number and earnings of convicts, . . . . .	63
Cost of maintaining, . . . . .	63
Ratiens, . . . . .	63
Punishment, . . . . .	63
Chaplain's Report, . . . . .	63

**CLINTON PRISON.**

How a prison may appear profitable, . . . . .	65
Employment of convicts, . . . . .	65
Asylum for insane convicts, . . . . .	66

***NEW JERSEY STATE PRISON.***

Want of accommodation, . . . . .	66
Commutation Law works well, . . . . .	67

***VERMONT STATE PRISON.***

Not as profitable as desired, . . . . .	67
General fault of administration, want to make money, . . . . .	68

**MAINE STATE PRISON.**

Manufacturing to be conducted on a large scale, . . . . .	68
Good views of prison government, . . . . .	69

**FOREIGN.****FRANCE.**

Disturbance in France, prevent reports, . . . . .	70
Foreign criminals are sent out of the country when their sentence ends, . . . . .	70
Every convict and every foundling is cared for and noted in France, . . . . .	71

**ENGLAND AND WALES.**

Police and constabulary force, . . . . .	71
Statistics of vice and crime, . . . . .	72
Convicts increase, . . . . .	72
Number and costs of prisoners, . . . . .	72
Convicts chiefly native, . . . . .	72
Repeaters, males and females, . . . . .	72
Number committed, . . . . .	73
Costs of prisons, . . . . .	74

**LONDON POLICE MATTERS.**

Improvements, . . . . .	73
Number and extent of police force, . . . . .	74
Detectives, . . . . .	74
Police stations, . . . . .	75
Their uses and abuses, . . . . .	75
Police appointments permanent, . . . . .	75
Cabs, . . . . .	76
Betting houses, . . . . .	76
Enlargement of London, . . . . .	76
Importance of improved magistracy, . . . . .	76
Registry of "common women," . . . . .	77
How different districts are watched, . . . . .	77
Salaries of Police Magistrates and Officers, . . . . .	77
Whole cost, . . . . .	77

**THE EFFECT OF ARRESTS.**

Arrests and imprisonment often multiply crime, . . . . .	78
Imprisonment of white and black women considered, . . . . .	80
Table, showing the change in the comparative number of black and white female prisoners. . . . .	81
Crimes of which convicted, . . . . .	81
Effect of elective magistracy, . . . . .	82
Consideration of the condition of black and white female prisoners, . . . . .	84
More caution necessary, . . . . .	86

**NEW WARDEN OF THE EASTERN  
PENITENTIARY.**

Proceedings of the Society with regard to the appointment of Edward Townsend, M. D., . . . . .	88
---	----

**WHAT IS YET TO BE DONE.**

Proposed amendment of the State Constitution with regard to the Magistracy, . . . . .	92
Qualifications of Aldermen, . . . . .	93

**NECROLOGY.**

Notice of SAMUEL CALEY, . . . . .	94
-----------------------------------	----

**CONCLUSION.**

Consideration of duties to be performed, . . . . .	97
Necessity of their performance, . . . . .	98

**APPENDIX.**

Prefatory remarks, . . . . .	100
Question of a paper for prisons, . . . . .	101
Kind of literature required, . . . . .	103
Consideration of the public press, . . . . .	104
Consideration of the religious press, . . . . .	106
Consideration of a special prison paper, . . . . .	110
Consideration of a mixed religious paper, . . . . .	116
Mode of dealing with prisoners, . . . . .	117
Gentleness necessary, . . . . .	118

# The Philadelphia Society for Alleviating the Miseries of Public Prisons.

---

## REPORT.

---

A JOURNAL, perhaps, should be a record of each day's proceedings, and some might hence infer that as the Philadelphia Society for Alleviating the Miseries of Public Prisons holds but four regular and one or two special sessions a year, and as its committees meet only once a month, a Journal would scarcely be a proper name for its Annual Statements. A "Year Book," or some name of that kind, might be supposed an appropriate title for its record.

Though the stated meetings are, comparatively, so few, yet the word "Journal" seems to express the character of the acts—for day by day is the Society in the field, by its Committee, its Sub-committee and its appointed Agent. The cells of the Penitentiary are resonant with the voice of the visitors of both sexes, who go to alleviate the miseries of the incarcerated convict and whisper consolation, while they convince of wrong.

Every day many of the cells of the County Prison receive the voluntary visitor, who goes by the appointment and in the name of this Society, to mitigate the mental sufferings of the prisoner and lead him, by kindness and candor, to allow his friend to make his detention a means of improvement.

No day is without this subject for record, and it is hoped that no day closes without some sound resolves among the men and women thus visited and thus admonished, "to cease from evil and learn to do good."

Every month insures to the Acting Committee a statement of what the active portion of its appointed representatives have sought to accomplish in their lonely labors, and these statements are enriched with accounts of the results of their efforts.

A minute statement of all these proceedings, the contents of a real "Journal," might interest many and instruct some, but it would be less consistent with the plan, than the present name of our annual publication, and might weary some, by its want of variety in successive years' statements.

The Society has never failed to operate in the channel and in the direction of its first movements, not always with the same instrument, nor always with the same agent, keeping always its simplest and, perhaps, its most useful organization of Committees, to visit prisoners in their cells, and deal with them personally. It has worked in enlarged spheres, and adopted and carried out plans for extending the benefits of prison visitations, and awaking at a distance a zeal for the cause of prison improvement; and associations have been formed as a

result of our labors, and numerous improvements have been made in prison structure and prison discipline in other States, that owed their existence to the labors of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

It is a beautiful part of the experience of this Society that it has been the occasion of other similar associations, some of which seem no less active than ourselves, and, perhaps, have gone further in their special walk than we, as a ball from a cannon travels further than the cannon to which it owes its motion and power. But the spirit of humanity, in regard to prison discipline, has had its home in our Society, and has never been "grieved" by opposition, nor chilled by neglect. Quietly and peaceably the good work has been prosecuted here, and moved and encouraged elsewhere. We have seen the work prosper in *our* hands, and we have seen it undertaken and successfully carried on by *others*, till at length that part of "Social Science" which is found in the plans of making prisons places of improvement has come to be of national consideration, and is made the subject of international correspondence and investigation.

The great work is thus going on. Men are obtaining and imparting information upon the great features of the work—and now volumes would scarcely contain the views and proceedings of Prison Societies, when formerly a few newspaper paragraphs told the whole story. In our gratification at the success that has marked the efforts of humanity in this direction, and the pride which we may fully feel that the movements have ob-

tained such gigantic proportions, we must not forget that the first effort and labor of the members of the Prison Society is toward the individual prisoner. God be thanked that plans of improved prison building and schemes of improved prison discipline, are occupying the public mind; but God be no less thanked, the proposals of improving the mental condition and of ameliorating the moral character of the individual prisoner, are being fulfilled, and that the single captive feels that he is not lost sight of in the great scheme which includes whole classes, or lacks application from the very multitude of those who are included in its theory. It is good in all these matters to ascend from individuals to classes, and to build a theory upon a well tested practice. It is safer at least.

The direct operations of our Society, by its own members, upon institutions and individuals abroad, were less extensive and effective last year than in some previous years. Two or three causes have tended to that result. One of the most important was the establishment by the Legislature of this Commonwealth of a "Board of Public Charities," which included within its circle of duties the supervision of the public prisons—as well the Penitentiaries, as the County Prisons, and other institutions, which the State authorizes for the restraint and improvement of those who violate the laws. That body has taken time for organization, and for obtaining that information which is necessary to the full comprehension of the exact condition of all the existing penal institutions, so that plans for *their* future

direction may be deduced from their capabilities of good in themselves and their administration.

This Society has looked with deep interest to the movements of the Board of Public Charities, and has had and improved opportunities to know the views of its members. The only fears to be indulged with regard to the initiatory proceedings of that Board, were those that related to the *time* of the movement. Never, in the opinion of this Society, was there required more careful investigation and protracted inquiry. *Festina lente* was the true motto for that Board, and we have no reason to think that any undue haste, or any too inclusive resolves have marked the labors of the members of that Board. The character of its members is a guarantee that mind and heart, power and affection are in the good work, and we await the presentation of the first fruits of their labors.

This Society considers itself largely instrumental in procuring the passage of a law authorizing the Board of Public Charities, and hence it naturally takes enlarged interest in the labors of that body.

Doubtless much alteration will be made in the management of prisons. As we have occasion to know that unfortunate events have caused changes in the whole system of discipline in the Western Penitentiary, we of course do not anticipate any adverse changes by the action of the State Board, but whatever changes may occur, whatever may beset the Pennsylvania system—should prisoners be kept separate or congregate, should even the old system of promiscuous herding be revived—this Society has only to lament the mis-

fortune, seek and apply a remedy if we can, but in the meantime, successful or unsuccessful in applying a remedy, it has the great work of seeking to "alleviate the miseries of public prisons," and to exert itself more and more, and exercise more and more of patience, as the changes may make its work more and more difficult. It is the man not the system that is to be primarily considered. The duty to visit the prisoner is not limited to a separate system, it has no special relation to large rooms, with hundreds of men, or small rooms, with one prisoner. Systems of discipline are only means which experience suggests for aiding the labor which tends to promote the great object—and those systems may change—but the great object itself, that of aiding the prisoner, remains, and the duty is only doubly enforced by the difficulties that attend its discharge. To that view of the subject we invite the attention of all who feel an interest in the moral condition of prisoners. Let them advocate the best system of confinement, and the best mode of discipline, but let them avoid the great error of supposing that their duty to the prisoner is limited by the character of the discipline which he is undergoing. The more the suffering, the greater it calls for aid. The more the association of the bad with the bad, or of the good with the bad, the greater the necessity for good, moral influence. The better the system, the greater the chance of success—the worse the system, the greater the demand for interference. We repeat the idea that while we are earnest advocates of the separate system, and its merciful administration, we are the more earnest advocates for merciful visitation of prisoners. The means

are valuable, yet only as facilitating the accomplishment of ends, but with no system for means. The end must be pursued—systems may perish—but the prisoner must be visited. It is well that this idea should be fully admitted. Our Society exists to alleviate the miseries of prisons—to ameliorate the condition of prisoners. It has plans for its own action, and systems for the government of prisons. We do not doubt that our plans are adapted to our own wants, and that the system of prison government and discipline which we approve is the best extant, and we hope they will prevail, but we know that our custom of special, personal attention to each prisoner, is the true one to promote his good, and make his restraint the means of his improvement. And should plans and systems all fail, the work is only increased, and the duty of doing that work is directly obligatory. The *heavier* the miseries of prisons are, the greater is the necessity for their *alleviation*. The *worse* the condition of the prisoners, the greater the demand for *amelioration*.

By theorists alone these ideas of the duties of labor are not entirely admitted, but the visiting members of the committee of this Society comprehend their importance, and direct their labors by the suggestion of duty, and with a constant eye to the great end of the amendment of the prisoner.

If the Society has less to record of its influences on other parts of the State and the Union, it is probably not because its movements have not been productive of good abroad, but rather that those movements are not of the past year's initiation, but the continuance of for-

mer efforts working now, by other instruments, but not the less by our suggestions.

The meetings of the Society have been held with prescribed regularity, and the direct action of the Committees and Agent have been profitable, and productive of much gratification, as they have been reported to the Society.

The meetings have lacked the attraction of earnest discussions of questions, because the year has been one of "waiting" for the results of former efforts, and especially of deference to the office of the new Board of Public Charities, that have taken some time for organization, and more, and justly more, to acquire a full understanding of the various institutions submitted to their supervision, and to consider what improvements can be suggested in their administration. No time is lost which is spent in these inquiries, and attempts at arrangement. It were better to postpone some really good measure, than to jeopard the good work by hasty conclusion. Awaiting the action or recommendation of the Board of Public Charities, and expecting much from the mature reflections, and careful inquiry of those that compose that body, this Society has confined itself much to the labors of its two sub-committees of action, and after the notice already made of what it has done and what forborne in its own assemblages, it now refers to the action of the two Committees.

## EASTERN PENITENTIARY.

A large portion of the Active Committee of this Society was detailed for services at the Eastern Penitentiary. It is a larger field for action, but it is a much more desirable field for labor. The separate confinement of the convict, with very few exceptions, makes the task of dealing with the minds and consciences of the prisoners comparatively easy, and especially hopeful. Here, too, the time of the imprisonment is usually very much longer than in the County Prison, so that the Visitor has an opportunity to deal with his client in the Scriptural style, "line upon line, line upon line, precept upon precept, precept upon precept, here a little and there a little," and thus saturate the mind with moral and religious truth, rather than fill it, returning to a lesson as circumstances suggest a repetition, and thus keeping alive each shoot that is transferred thither, and planting new ones—and invigorating all with timely irrigation and careful culture. Here often commences a friendship between the Visitor and visited that leads to the most beneficial results, it insures success to the virtuous efforts of the client, following him as a protective Providence in his employments, removing doubts of success by a sense of a competent resort, and lighting up the hours that would have been dark and cheerless by the reflection on prison restraint.

Nor can we suppose that the friendly Visitor will be less influenced by the encouraging sense of success with

one whom crime or misfortune had thrown upon his care.

It is here that the Prison Visitor finds *one* rich reward for his sacrifices. And at moments of reflection upon his labors, he feels how much of their success has been due to the favorable circumstances in which they were performed. The most favorable is the separation of the convict from all other convicts, and from all influences that disturb the action of good advice and constant friendly monitions. So that the seed of truth may not be blown away by the winds of idle gossip, or choked by the thorns of bad conversations.

We have so often referred particularly to the mode of proceeding by the Visitors to the cells of the Penitentiary, that it is unnecessary to repeat the account, but none who have not seen the patient Visitor at his cell can appreciate the character and weight of his labors. Only those who have read the letters of the amended convict, to his faithful Visitor, can appreciate the value of these labors. In addition to the appointed members of this Society that visit the Penitentiary, there are several ladies who are constant and regular in their attention to the cells, and have a happy influence over the manners and conversation of the female convicts.

Since our last, Mr. Halloway, the excellent Warden of the Penitentiary, has died, leaving a good name derived from an irreproachable life, and a most faithful discharge of his official duties. It is gratifying to state that Dr. Edward Townsend, one of the Corresponding Secretaries of this Society, accepted a call to fill the place which was made vacant by the death of Mr. Halloway.

We have elsewhere in a copy of the proceedings of a meeting of the Acting Committee, showing the interest which the Society took in the appointment of Dr. Townsend, and its gratification at his acceptance of the office.

---

## COUNTY PRISON.

The members of the Committee on the County Prison made to that institution about seven hundred and fifty visits in the past year, besides about one hundred and twenty-five made by religious ladies, who go to the prison at the request of members of the Committee and Inspectors, and who labor earnestly, affectionately, persistently, and, in many cases, effectually to improve the condition of the females whom they visit. Copies of the Sacred Scriptures, Prayer Books, Tracts and Periodicals are supplied to those who can read, and are read to those who have not the rudiments of learning, and some are taught to read and write. This applies to the Female Department, where the number of prisoners is considerably less than the number of cells. The visits of the women to their own sex are looked for by the prisoners with much impatience, and any interruption of the regular course is specially lamented. And care is taken by many of these clients to study up their lessons, and prepare themselves for a good recitation so as to be entitled to another visit, and to additional advice, accompanied with commendations.

It is scarcely possible for those not familiar with the

habits of prisoners, to know how much the occupant of the cell longs for the coming of his regular Visitor, and how the heart sinks when, on the day appointed for visitation, some accident deprives the poor convict of her colloquy and customary lesson. It is the evidence of this bitter disappointment that makes the Visitor comprehend the *duty* of regularity and punctuality. Not to have assumed the office of Visitor, may have been no neglect of duty, but the assumption of that office, makes punctuality in its discharge an imperative duty.

In the fact that many desire the regular lessons of their Visitor, without showing, in their subsequent career, any considerable proof of improvement, many find an argument against these visits. This is evidently wrong. No one can expect to correct the errors of a whole community by even the best lessons and the most assiduous application, even when that community is of general good repute. How unfounded, then, is the hope of correcting all the errors of those who constitute a sort of community of offenders.

It is much to gain a few, to be able to point to one or two out of a host of wrong doers who have yielded to the lessons of affectionate admonition, and tried to amend—tried and succeeded.

But suppose at the end of any one year, the number of those permanently improved should really be very small, very small indeed, compared with the number of convicts of which they were a part; we had almost said, suppose that not one of the whole class alluded to, supplied a reliable instance of solid permanent improvement, and that the Visitor should be compelled to adopt

the disparaging language of the Prophet, “who hath believed our report.” Has nothing been done in the cause of humanity? Have not many hours of the convict’s time been redeemed from the waste of bad thoughts, bad conversation, bad resolves? Has not the gentle voice of the Visitor fixed in his mind lessons of virtue which may yet be fruitful? Who shall say that the prisoner that receives these lessons, and, at the end of his or her term, goes back to bad association and bad conduct, may not, in some hour of sickness, pain or danger call up these teachings, and feel again the warmth of heart which the lessons first inspired, and renew the broken vows of amendment and become a new creature.

The business of the Visitor to the prison, is to work, work, work—work with hope, work with prayer; work—how little so ever may appear the result of his labors to himself, the profit is certain—to the object of all these labors, they may in time become rich temporal results—in eternity, an eternal benefit.

In this spirit we see the Visitors to the male department of the County Prison giving themselves to the good work, and we have every reason to believe that large benefits are flowing to the prisoner thereby.

We have from time to time given instances of the good results of these labors, in the entire reformation and business success of the discharged criminal. But this success is greatly limited by two wants; the first, the want of a cell for each prisoner—a want not soon to be supplied, though perhaps not helplessly a want. The Grand Jury of the County has so often presented

the want of the accommodations of male prisoners in the County Prison, according to the provision of the act of Assembly, that we do not hope for any abatement of the evil in that direction, and experience shows that we are not authorized to suppose that the abatement is to be produced by any considerable number of convicts. But listening to the objection privately made to any extension of the County Prison, even though the lot for that extension may be used without cost to the city, we discover an objection not publicly expressed, but entertained and encouraged, and made formidable, by persons who think that the prison, where it now stands, is a barrier to the improvement of the city in a southward direction ; that it diminishes the value of the buildings that have been erected within a few squares thereof, and checks improvement below—improvement suggested by the course that business is taking, with regard to the facilities of the Schuylkill and the Delaware, near the confluence of these two rivers. It is not our business, nor our inclination to enter into any discussion of the question of sites for our penal and pauper institutions. Nor do we know that the existing County Prison and Almshouse, and the land that appertains to them may not be sold for nearly as much as would pay for the erection of an Almshouse, and County Prison of ample size, upon ground of any desirable extent. Our business is not with the site, but the accommodations of a prison. Not where it shall be placed, but how it shall be constructed, and how conducted. There are certain relations between the court and the police stations, on one side, and the County Prison on the other, that ren-

der it important that they should not be too far from each other.

It would not be astonishing if at some future time, when the public begin to understand the prison question, and the city begins to have the means of new modelling its penal houses, it should be found expedient to erect and maintain a City or County Penitentiary, at some point a little more distant from the court-house, where convicts might work out sentences of six months to many years, as they now do in the male convict block of the County Prison—while a building not very distant from the Court-House, and Central Station, would contain the untried and those of small offence that are not sent to the House of Correction. This is an idea that wants elaborating.

The second great want, is that of means to help the discharged prisoner, after he shall have served out “his time.” In the Eastern Penitentiary there is a provision for aiding the discharged convict, and the sum to be given is five or ten dollars, according to the distance of the residence of the prisoner from the Penitentiary. In the County Prison there is also a provision for certain discharged prisoners, but in neither case is the great object fully provided for. A few dollars is not all the discharged convict needs. He needs an object, and he needs assistance to attain that object. He needs a well defined and well understood end, and he needs the means to attain that end. He needs some confidence, some friendship, some interest, some advice, and some watchfulness, that shall follow him when he leaves the cell. He needs to feel a sense of responsibility to some one,

and he is now willing to acknowledge the duties of that responsibility, to one that has been the friend of his prison life, that has known the depths of disgrace, and has heard and answered him when "out of the depths" of that disgrace he has cried to him. There is a delightful feeling of gratitude and confidence in the prisoner who appreciates fully the services which the visitor to the cells has done for him, and there is an abundant and gratifying pleasure in the visitor as he sees the result of his own labors on behalf of the convict—and he is disposed to let his solicitude for the improved prisoner proceed beyond the cell. It is most true that no more do favors received encourage the hope of favors to come, than do favors given stimulate to additional favor.

This interest of the visitor in his client is, however, often a costly indulgence of good feelings, much time; and some other contributions of a temporary character are often quite as much as regular Visitors to the Prison can afford. Money is needed to enable him to assist the discharged convict to reach his home, or some point where employment may be obtained. Good advice is excellent, and recommendations to be industrious and honest are certainly valuable—but they amount to very little to the poor man whose demand for employment is denied upon the grounds of his recent imprisonment, or upon his inability to strengthen his appeal by an evidence of his continual good conduct.

This Society has some small funds, specially devoted to the needs of "discharged prisoners," and the income from those investments is promptly and most efficiently applied, chiefly at the Eastern Penitentiary. The money

used by order of the Society in this direction, for the convicts leaving the County Prison, is drawn from the general income of the Society and distributed with remarkable judgement and economy by the Agent. Much good is done to the prisoner leaving the Penitentiary and the County Prison by these funds—but *that* good shows how much more might be done by augmented means. We know that zealous philanthropic members of our Society have been turning their attention to the important branch of our labors, and we cannot doubt that they will be successful. It would seem to be a duty of those whose health, official relations, business occupation, or different taste may not move them to active exertion in the self-denying, practical portions of the labors of the Visitor to the Prisons, to second the efforts of such by supplying means to make those self-denying labors profitable in the future to the visited prisoner. That duty, we think, will be more generally and more abundantly performed, when its importance is better understood, and the views of the Society are shown to be entirely practicable in that direction.

---

## COMMUTATION LAW.

In our last Journal, we noticed the operation of the Commutation Law in the Eastern Penitentiary, by which convicts may, by continued good conduct, save or work out a certain portion of the time of their sentences. Since that time, the Legislature of the State has most

wisely allowed the application of that law to the convicts and sentenced prisoners in the County Jails, and more than forty each month have availed themselves of its provisions, and have saved from one month to three, or more.

The law operates beneficially, not only by allowing good conduct to shorten imprisonment, but by inducing good conduct that imprisonment may be shortened, so that the good conduct commences, perhaps, with the mere motive of getting out of prison, but we may hope that in many cases it will be continued from principle and habit combined. Of course there are instances in which the first use of the new liberty is to do what secures arrest and incarceration. But instances are more frequent where the released prisoner has used his liberty for the benefit of himself and family, and thus illustrated the good operation of the law. Many men are in prison for a considerable offence, but not from habitual violation of the laws; such persons are generally greatly benefitted in every way by the Commutation Act.

As these reports are of the views and actions of the Society in whose name they appear, and not of the prisons which the Committees of the Society visit, it has not been thought best to dwell on the statistics of the Penitentiary and County Prison, excepting where numbers and movements were connected with the labors of the Society. Each of the great penal institutions in this city presents admirably arranged statistical tables of the number, age, character and condition of its inmates, and these reports add much to the knowledge of prison

affairs—a knowledge becoming more and more valuable as Social Science is more thoroughly studied.

The number of convicts in the Penitentiary is between six hundred and seven hundred.

The number of prisoners of all kinds in the County Prison is about seven hundred and fifty (750). That number includes all grades, from the *man* convicted of murder in the first degree, to the miserable woman who is sent down for a noisy debauch. In the County Prison the number of male convicts rises or falls with circumstances out of doors. The number of female prisoners in the same prison has been reduced from the maximum of two hundred and eighty-two, or the minimum of two hundred and forty-two, four years ago, to an average of ninety (90), and it is confidently asserted that, if the same advantage of a full number of cells and constant visitation could be had in the male convict block, the number of prisoners there, might, in two or three years, be reduced in the same proportion that they have been in the Female Department.

---

## THE AGENT.

The Society is represented abroad by its officers, its committees, and by its Agent, Mr. William J. Mullen. There are attentions to be rendered to prisoners, which demand more time than the committee can command for such purpose, and which require a kind of attention different from that which a member of a committee is

willing to perform. In the cells the Visitor finds out the circumstances of the prisoner awaiting trial, and he may find also that the imprisonment is wrong, or that the offence is of such a character that it should be settled by some sacrifice, and can be settled by a little timely interference. The Agent is at once informed of the situation of the case, and he rarely fails to arrange the difficulty, and restore to a family the means and instrument of its support.

The Agent, too, visits the cells of the County Prison, and inquires into the condition of convicts about to be discharged, and he assists them with clothes and railroad tickets—or he obtains labor for them, in or near the city.

Mr. Mullen procures the settlement of two or three thousand cases from the County Prison every year. Some of these are, indeed, of apparently small importance to those who look at the amount of money involved, or the insignificance of the wrong doing charged. But what may appear a trifle to one, becomes gravely important to another, and especially do the *large* family of the laboring poor attach much importance to the restoration of the father to his liberty to earn bread, or to the discharge of the mother to her duties among her children, including all ages, from the infant at the breast to the half-grown daughter, that is in the midst of danger of which she herself has little idea.

When the settlement of a case is not desirable, from its importance in a legal sense, Mr. Mullen sees that no injustice is done to the prisoner for want of defence, by providing counsel. It is gratifying to the Society to

know that Mr. Mullen's services are appreciated by the Courts, and that the judges, while they approve of *his* labors, which certainly lessen theirs, have entire confidence in his integrity in the delicate offices which he undertakes.

Among the good works of the Agent, is that of selecting some of the several "Homes" in the city for females who need protection and assistance, those whose way of life has been unbecoming their sex, and whose miseries have induced them to listen to the advice of friends, and withdraw from the temptations of out-of-door life, and accept the hospitality and guidance of the House of the Good Shepherd, the Howard Home, the Rosine or the Magdalen. And in these retreats, strength has often been given to resolutions formed in the prison cells, and a decent womanhood has succeeded a disturbed and discreditable youth.

We shall subjoin a few cases reported by Mr. Mullen. They show something of his energy and perseverance, as they illustrate the character and the practicability of such charities as he promotes.

It is the business of some of the "Visitors" to the County Prison to discriminate between ordinary offenders and some imprisoned ones who seem by manner and language to have little affinity with a jail. They have only begun to do wrong, only commenced to show the danger of being without advice and restraint, and the shocking idea of a cell and the unpleasant concomitants of a prison life create a disgust for the course they have commenced. If *then*, at the moment when solitary restraint is commencing its work, some friend "breathes

through their lattice" words of sympathy rather than reproach, and suggests a house of reformation, or Home, where their own sex will deal gently, without reference to the past, they accept the proposition and are transferred from the prison to a "Home"—from the pathway of vice that leads to crime—to the pleasant ways of reformation, that lead to peace and happiness.

#### MR. MULLEN'S CASES.

NUMBER 1—Was the case of a woman who had been committed to prison upon the grave charge of arson. The principal witnesses against her were her husband, and a female who was in the prisoner's employ. It was sworn to by these witnesses that she asked for a match, and went up stairs and set fire to the house. The main damage that had been done, was the burning and destruction of her own clothing. She said that "she was not guilty, and was entirely innocent of the charge." As this seemed probable, from the fact that nothing was destroyed but her own clothing, which she stood in need of, and as her husband and herself had not lived happily together, and as an improper intimacy was said to have existed between the husband and the woman, and as these two seemed to be the only witnesses against her, for these reasons, the Agent investigated the case, and supplied her with counsel who ably argued the case before the jury, which resulted in the prisoner being honorably discharged, upon a verdict of not guilty. The Agent then instructed the prisoner to go to her home and claim the protection of her husband, and if he treated her unkindly, or refused to support her, to inform him that the Agent would accompany her to the Guardians of the Poor, and compel him to support her. All of this was done for the prisoner without any expense to this unfortunate woman. By this management on the part of the Agent, she was probably saved from a conviction and a sentence of from three to five years imprisonment.

NUMBER 2—Was the case of an Indian boy, about nineteen years of age, who had been unjustly imprisoned upon the charge of assault and battery with intent to kill. He had been sadly imposed

upon by his prosecutor, who had employed him in the country, to assist in bringing a drove of horses to this city. After the horses were sold, and he had completed his engagement with his prosecutor, he asked for the pay for his services, which was not given him. His employer treated him and made him drunk, then quarreled with him, and imprisoned him upon the above charge; the sole object of which seemed to have been to afford his prosecutor the opportunity of getting away from the city, without paying the poor fellow for his services. The Agent informed the Court of the facts in the case, and the prisoner was immediately released by the authority of the Court. The Agent then supplied him with sufficient money to enable him to return to his home in the country.

NUMBER 3—Was the case of a man who had been imprisoned upon the charge of breach of the peace. He had a wife and several children depending upon him for support, and his imprisonment caused them great distress. As the alderman refused to release him from prison, unless four dollars and fifty cents (\$4 50) was paid, his wife pawned their bedstead and such other articles as she could spare, in the hope of obtaining sufficient money to pay the costs. But in this she failed, as she realized only three dollars (\$3) from the pawning of her furniture. This sum she offered to the alderman for the release of her husband, but he refused to receive it, or to release the prisoner, until the whole amount of four dollars and fifty cents (\$4 50) was paid. She then informed the alderman of the distressed condition of herself and children, but it was of no avail. The Agent also appealed to the magistrate for the prisoner's release, but with no better success, as the whole amount of the costs was insisted upon, although the prisoner was wholly unable to pay it. When the Agent informed Judge Allison of the unreasonable demands of the alderman, and the distressed condition of the prisoner's family, the man was at once released by the authority of the Court, without any costs whatever being required.

NUMBER 4—Was that of a friendless German boy, about nineteen years of age. He came to this city from New York, about the time of the destructive hail storm. His trade was that of a painter and glazier. As so much glass had been broken by the storm, it

occurred to him that it would be well for him to come to this city, to get employment. Soon after his arrival here, he was engaged by a man to put glass in the sky-light of his premises, as well as in other parts of the building. After the price had been agreed upon that he was to do the work for, he invested all the money that he had, in the purchasing of glass to do the job. And when the work was completed in a satisfactory manner, the poor fellow asked for his pay from the party who had employed him. He was told that he would not receive any pay for the work that he had done, as some person had come into the house while he was at work there, who was suspected as an acquaintance of his, and stolen about as much money and jewelry as would have paid for the work that he had done. The prisoner then went to the Mayor's office, and complained that he had been cheated out of his pay. He was advised to sue the man for his money, which he did, and the man immediately sued and imprisoned him, on suspicion of having been connected with some one in robbing. As it appeared that there was no truth whatever in the charge that was made against the prisoner, and as it was evident that the charge was brought against the prisoner to deter him from demanding pay for the work that he had done, and as he was in a penniless and friendless condition, in this city, where he was a stranger, for these reasons the Agent pitied him, and appeared before the magistrate, at the hearing of the case, and defended him, and saw that the prosecutor paid him the full amount which was due him, as well as getting him to consent to the unconditional discharge of the prisoner, which he agreed to, providing that the prisoner would promise not to prosecute him for damages. As the prisoner was poor, and unable to carry on a prosecution, and as he wished to be released from prison at once, the Agent consented that the case should be dismissed upon these conditions.

NUMBER 5—Was that of a poor woman who had been engaged to do some washing for a family who employed her. A hair watch-chain, of but little value to any one but the owner, was missing and the prisoner was accused of taking it. The owner said that, "he had neglected to take it out of his vest pocket at the time he

put his clothing in the wash, and he felt sure that prisoner must have taken it." As it had been made from the hair of a deceased relative, he prized it very highly. With the hope of getting the prisoner to confess that she took it, he imprisoned her, and separated her from her little child, whom he retained in his house for a few days, but finding it rather troublesome, sent it to the Alms-house. As the prisoner declared she was innocent of the charge, the Agent called upon the prosecutor, and got him not only to consent to a settlement of the case, by signing a recommendation for a *nolle prosequi*, but he also offered to pay all the expenses of Court charges, and seemed to be heartily ashamed of the whole affair, and was exceedingly anxious to have the prisoner released. The case was settled with the consent of Judge Ludlow and District Attorney Sheppard. The Agent then assisted the prisoner in getting her child back from the Almsnouse. She was a woman of good character, and her prosecution was disgraceful in the party who instituted the suit.

NUMBER 6—Was the case of a young girl who was imprisoned upon the charge of breach of the peace. Her offence consisted in her asking for some assistance from a man who had led her astray when she was but sixteen years of age. He took her from the home of her respectable parents, and kept and lived with her for a period of five years. He then deserted her, and married another. As he was wealthy and in good circumstances, the prisoner thought the least that he could do, would be to give her some assistance to enable her to live. This he refused to do, and caused her to be arrested and imprisoned for annoying him. The Agent procured her discharge from the Alderman, by explaining her case, and by becoming bail for her to keep the peace for the future.

NUMBER 7—Was the case of an insane woman, who had been committed to prison, with her pretty little child, upon the charge of assault and battery. The Agent procured her discharge from the magistrate, and got him to consent to take her child and adopt it, as he had no children of his own. After this much had been accomplished, the Agent procured a certificate from the physicians

of the prison, testifying to her insanity, and after this had been certified to by an Alderman, had her sent to the insane asylum.

NUMBER 8—Was that of a man who had been tried, convicted and sentenced to prison upon the charge of larceny. This had scarcely been done, when the Agent discovered that the man was insane, and that he had previously been an inmate of an Insane Asylum, for a period of eight months. The Agent procured a certificate from the Prison Physicians that certified to his insanity and presented it to the Court, with a request to Judge Paxson to reconsider his sentence, and to allow the Agent to send him to the Insane Department of the Almshouse. The application was successful, the prisoner was released, and the Agent procured an order, and saw that he was sent to that institution.

NUMBER 9—Was an extraordinary case of oppression. It was that of a man who had been imprisoned upon a Sheriff's writ, issued from the Supreme Court. He was sent to prison upon the charge of trespass, for words that had been spoken by his wife, which was construed, by his prosecutor, into slander. No one pretended that the prisoner had said or done anything to the party prosecuting; but, as the law holds a man responsible for what his wife says and does, he was imprisoned because he was unable to get bail. His case was particularly oppressive, inasmuch as the words that had been spoken were said to be true. They were uttered by the prisoner's wife, in a moment of excitement, at a time when she was finding fault with the prosecutor, who was a tavern-keeper, for harboring her husband to the neglect of his family and business. The prisoner and his wife were both arrested for the offence, but the wife, who was the real offender, got bail and escaped going to prison. The object of having them arrested was to prevent the prisoner's wife from prosecuting the tavern-keeper for harboring her husband, and for threatening her, with a knife in his hand, and telling her at the same time that he would kill her if she did not leave his premises. This she refused to do, unless her husband came with her. The Agent interfered in their behalf; the counsel for the prosecutor and the Sheriff were seen, and the prisoner was

released with the consent of all parties concerned. In the opinion of your Agent, it would be difficult to find a more high-handed case of oppression; particularly so, as the prisoner's wife was a christian woman, and had a young babe who required her care, as well as her husband, who had neglected them.

---

## R E V I E W

### OF MR. TALLACK'S PAPER ON THE PRISON SYSTEM OF GREAT BRITAIN AND THE UNITED STATES.

The new interest manifested in the Prison question naturally calls forth the expression of various opinions upon every branch of the subject, as well with regard to the moral as the physical and social laws of this important subject. The publication of these opinions, if not productive of much good directly, in consequence of the want of information, or the prejudice of those who utter them, will nevertheless be of much benefit. They not only show the great extent of interest felt in the discussion, and therefore the great importance of the question, but they keep alive the interest, and provoke the better informed to replies that will correct the errors that are promulgated, and impart information necessary to a full understanding of existing evils, and of the means proposed for their correction.

The gentlemen who initiated the plan of the Convention in Cincinnati, wisely prepared for the wants of that Convention and the means of its usefulness, by requesting gentlemen in various countries to prepare essays on

branches of the prison question, and forward them in advance of the Convention, or to read their own productions before the assembled body.

One gentleman, the Secretary of the Howard Association in London, prepared a pamphlet on various branches of the subject, and transmitted, in advance of the Convention, printed copies of his work.

The author, William Tallack, Esq., has, it appears, visited some of the prisons in the United States, and speaks with a tone as if he would say, "I've seen and sure I ought to know."

It is always dangerous to be writing about the institutions of a country which we have only visited, or to accept the complaint *in* a country against the administration of local institutions. Our readers will bear in mind, perhaps, many laughable mistakes which foreign travelers have made in regard to the manners and customs of portions of the United States; and the friends and members of "the Society for Alleviating the Miseries of Public Prisons" will not have forgotten the bad figure which the late Mr. Dickens made of himself, and tried to make of the Eastern Penitentiary in some of his "irredeemable notes" on that institution. The novelist, in that attempt, as in some others of his efforts to describe customs, manners and institutions *out* of England, made himself ridiculous to those who know and respect truth, though he gratified many who love a flippant article that hits anybody but themselves. Mr. Dickens was a novelist, a writer of fiction, one whose *fancies* decorated facts with art, and made his statements about as much a representation of realities, as a modern dress is of a woman that wears

it. Dickens's false statement of the circumstances of the Eastern Penitentiary did the author no more harm than did his ingratitude to the toadies that fawned upon him at his first visit to this country, or the lovers of amusement that crowded to his readings on his second visit. Very few cared whether the Widow Bardell really existed, or was only an imaginary personage, representing what might result from certain combinations of circumstances; so those who read Dickens's notice of the Eastern Penitentiary, were satisfied that though it was not right with regard to that institution, it might be right with regard to the possibilities of others.

If that is an *excuse* for the small malice and ridiculous flippancy which marked the description of the Eastern Penitentiary and other things in this country, the excuse is the more admissible inasmuch as the author did not pretend to write for truth's sake, and his statements were not intended to instruct others, by truth, but to amuse them by fiction. The utterance of such misstatements was his "vocation." The existence of an object was enough; its decoration, its contents, its administration he claimed for himself. "Great is truth, and it will prevail," said the ancient Chamberlain; "Great is fiction, and it does prevail," is the modern rendition of the old text.

Mr. Tallack, in criticising the prison system in this State, seems to speak of the Eastern Penitentiary as the representative of the prisons of Pennsylvania, when anything bad is to be imputed; and the old Walnut Street Prison when anything good is to be noticed.

Among the remarkable mistakes of Mr. Tallack, is

the idea that the administration and discipline of the old Walnut Street Prison were better, more merciful and improving than those of the Eastern Penitentiary. Statements are made of rules and practices in the old Prison that can scarcely be well founded; for example: it states that long-continued good conduct was rewarded by remission of a certain portion of the sentence." Now that could scarcely have been, if by "a certain portion of the sentence" is meant a part of the time, the remission of penalties being a part of the constitutional prerogative of the Executive of the State. But while mercy is falsely claimed for the time past, it really is a part of the law and practice of the present time. Under the head of "Retrogression in Pennsylvania," Mr. Tallack quotes the report of the Massachusetts State Prison, for 1870, and declares that there is a relaxation of discipline in the Eastern Penitentiary, because prisoners are confined "two and three in a cell."

Now the essence of a statement consists in telling not only the truth, but the *whole truth*. "The suppression of truth is equal to a falsehood." And when that statement was made, undoubtedly there were cells in the Eastern Penitentiary containing more than one convict—but it was well known, because it was as widely stated as was the fact of two in a cell, that only a few of the many hundred cells were unlawfully occupied; and it was well known that the cause of the departure was the sudden and unforeseen influx of convicts, consequent upon the breaking up of the army, and it was also known that the work of increasing the number of cells was at once begun.

The general discipline of the Eastern Penitentiary was not changed by the compulsory admission of more than one prisoner in a single cell. The few cells that had two convicts in them were considered as exceptional. The circumstances of the convicts therein were specially regarded, and while the few convicts thus unlawfully held, were carefully visited by officers, and by those who attend the Penitentiary, for moral and religious purposes, the great number of convicts that had separate confinement knew nothing of the departure from the rules in regard to the *few*. Their condition in all respects was the same as it had been, so that the slight departure from the established system had no influence on the great body of convicts, and could not be considered as a "retrogression," or a change of plan or administration.

Mr. Tallack may justify his presentation of such a statement by referring it to the Report of the chief officer of the Massachusetts State Prison; but why should the report of the Massachusetts State Prison be taken for information touching the Eastern Penitentiary of Pennsylvania, when the Inspectors of the latter prison issued in March, 1870, and in the March of every preceding year, a Report of the situation, condition and management of the Prison under their care, with ample details and arguments relative to all its circumstances?

But it will create a smile among the members of the Society for Alleviating the Miseries of Public Prisons, to hear the prison discipline of the good old times of the last century set down as more merciful and more improving than that of the present time, and Walnut

Street Prison taken as the exponent of the mercies of the past, and the Eastern Penitentiary as the exponent of the cruelties of the present. The stripes, the chain, the labor in ball and chain in the street, of the old regime, considered as more merciful, more improving than the separate labor, constant moral instruction and palatable food of the present prison discipline!!!

Mr. Tallack says, after some quotations that regard local efforts, and local condition; "It is a matter of regret and surprise to perceive, by the confessions of eminent Pennsylvanians, that that State which was once a light to the world, in reference to criminal treatment, has so '*retrograded*,' even from its first principles of prison discipline, and has suffered itself to be outstripped by Massachusetts, New York, Maine, Michigan, New Hampshire, Rhode Island, and other States."

Now we know of no eminent Pennsylvanian that holds or expresses any such view. We know that the situation of prisoners throughout the State is far superior to what it ever was before; though we know that in many counties the good work of prison improvement has but little advanced, and in some, where it has made progress, it needs acceleration and direction—but it is generally in advance of other States. And its great Eastern Penitentiary stands forward now as the first and best penal institution in the world, and has in its plan and discipline all the elements for improvement which experience may suggest, with such a *personel* as will ensure a merciful fulfilment of the sentence of the Court, and lead to and aid in, the adoption of resolves for improvement by the convict.

The number of prisoners has increased. This is set down as proof that the system has failed—but, more than that, it is said that the number of *recidives* (we use the French word for those who have been *repeatedly* convicted) is increased. We cannot say that such may not be the case, and that the number of that class may not be greater here than in Massachusetts. If the writer whose pamphlet we notice had examined the statistics of Prison Report, he probably would have found some explanation of the matter. The Massachusetts State Prison is proportionately more largely supplied with natives than is the Penitentiary in this city, and with those whose connexions in society assist their resolves to good; while the foreign population, that have broke loose from the prisons of the Continent, and graduated with a “ticket-of-leave” at the prisons of Great Britain and Ireland, seek the Middle States, to commit their depredations and repeat their penitentiary residence.

Before quitting this branch of the subject, especially with regard to repetitions, we wish to correct one error into which Mr. Tallack has fallen, viz., the greater number of repeaters in the Eastern Penitentiary, as compared with that in the Massachusetts State Prison. The statistics for about ten years past show that the number of convicts in the Eastern Penitentiary of Pennsylvania, who are undergoing a second or third punishment in that institution, is about eight per cent. of the whole number, while for the same period the Massachusetts State Prison has above thirteen per cent. of *recidives* or repeaters. How many of these repeaters

in our Eastern Penitentiary are graduates of the Massachusetts State Prison we do not know.

We state these facts, as connected with and strengthening, the argument used above.

If Mr. Tallack had taken the Report of the Inspectors of the Eastern Penitentiary of Pennsylvania, made in March, 1870, as the ground upon which to judge of the condition of that institution, and the influence of its discipline on its convicted inmates, he might have better judged what he was censuring, merely from a statement by the Warden of the Massachusetts State Prison, who probably had never seen the Report of the Eastern Penitentiary for March, 1870, which the English writer thinks was used for comparison.

Mr. Tallack takes the statement of the Agent of the Philadelphia County Prison relative to the number of prisoners, as proof of the vast increase of crime. That may be in part the case, but there are other elements to be taken into consideration. If the fishermen on the coast catch more fish this year than they did ten years ago, it *may* be because there are more fish, but it is quite likely that it is because there are more fishermen. And to prove that crime increases in Philadelphia, the writer presents the remarks of a most estimable Judge, viz., that many boys and other young persons are committed to prison. If boys were not committed twenty years ago, it does not follow that they did not commit the crimes—rather that they were not arrested.

Upon the subject of the *effect* of arrests upon the character and condition of the arrested, we shall offer some remarks in another part of this journal. Mean-

time, we mean to lodge a *caveat* against a too hasty conclusion that vice is much more multiplied, simply because more vicious persons are arrested.

Mr. Tallack is evidently a friend of the separate system in prisons, and much of his censure upon the Penitentiary in this city springs from his idea that the system has been abandoned there, while the fact is, that for a time the great pressure compelled a suspension of the rule of separation *for a few cells*. An increased number of cells has greatly relieved the institution, and the Penitentiary will soon be the exponent of the separate confinement system, which Mr. Tallack justly says is the *sine qua non* of efficient prison discipline. "This," continues Mr. Tallack, "at any rate, is a fixed principle, admitted to be such, after ample inquiry, by parliamentary committees and missions of investigation." That is a good idea, earnestly and plainly expressed. But Mr. T. puts in occasional qualifications, which destroy the force of his admission, or make his admission valueless. He adds, with reference to the admission of its advantages, the necessity, indeed, for separate confinement, the following: "Yet like other fixed principles, it (separate confinement) must be adopted apart from the falsehood of extremes." That is a platitude, a mere truism, which amounts to nothing. Of course, excess and falsehood of extremes must be avoided. But Mr. Tallack adds: "Separation, total, by night and day, speedily produces madness or imbecility, or at least renders the mind morbid and flabby."

Mr. Tallack is criticising the Pennsylvania system as practised in the Eastern Penitentiary. Now, if he

means that that system, administered as it is there administered, he asserts what the experience of the Eastern Penitentiary for many years fully contradicts. The able report of the Board of Inspectors of that institution, issued in March, 1870, disproves any such assertion, and the experience of prisons conducted most on the separate confinement plan, is exactly that of the Eastern Penitentiary with regard to the effect of discipline on the minds of convicts.

Mr. Tallack says, "The main source of Pennsylvania retrogression in prison discipline has been a departure from previous adherence to due separation, and a relapse of placing several men in each cell by night and day."

We repeat what we have previously stated, that the necessities of the cases compelled the Inspectors of the Eastern Penitentiary to receive a few more prisoners than they had cells. The evil only extended to those few who were placed together. The great number of the convicts were not affected by this infringement on the general plan. They knew nothing at all about the few cells that were occupied by two convicts. There has been no retrogression in the discipline of the Eastern Penitentiary, and the departure from previous adherence to due separation should not be regarded as any change in the plan of conducting the institution.

Mr. T. appears at one time to refer to the Pennsylvania system as one of solitary confinement, which debars the prisoner from all intercourse with his fellow-being. We need not now stop to correct at large such an error; it suffices to state that the convict in the Eastern Penitentiary is separated only from his fellow-

convicts. He sees his relatives and friends at times—his moral visitors every day; the moral instructor as often as possible, and the Keeper or the Warden many times a day.

The fault which Mr. Tallack has committed resulted from the want of knowledge of the prison system as it is practised in the Eastern Penitentiary of Pennsylvania. He looked to the report of the Warden of the Massachusetts State Prison for information about the Eastern Penitentiary, or rather, he found in the Massachusetts reports that which is not sustained by the reports of the Pennsylvania Penitentiaries.

Mr. Tallack is exceedingly severe upon the want of "merciful consideration" so frequently manifested in Great Britain with regard to convicts. We are unable to judge exactly of the correctness of these censures, because we have no personal acquaintance with the facts to which he refers, and know nothing of the circumstances by which they are affected.

Mr. T. seems to think that England punishes with too great severity, crimes against the property of individuals, and is lax with regard to the infliction of legal penalties upon the man who leads a female into impure acts. That may be the fact. We have only to say that the man who thus offends deserves, at least, all the punishment which the laws of England and the United States provide for such offences. But we are to understand that parties in certain cases may settle their difficulties often with less injury to the sufferer than the exposure of a lawsuit would procure. No doubt great wrong is smoothed over in England by the influence of

noble connexions, and in this country by the power of wealth. We have nothing to say in favor of this; we join in condemning the crime, and equally condemning the laxity that prevents the punishment of the crime. But the administration of the law by the Court is not the question of prison discipline. We discuss the execution of the sentence pronounced by that Court. We are not directly concerned with the arrest and trial of the *accused*. Our business is with the punishment and improvement of the *sentenced*. Humanity has its mission in various directions; it will aid the whole cause, to keep each part to the proprieties of its special action.

Mr. Tallack adopts as a motto, "Circumstances make guilt." Let us endeavor to correct the circumstances before we rail against the guilty."\*

It is rather dangerous for a Christian philanthropist to select a motto from Bulwer's writings. That versatile genius was wont to make axioms to suit circumstances, rather than to mould circumstances by good axioms. But the axiom is good, moderately applied. Mr. Owen, of Lanark, applied it immoderately, and justified the offender by showing what he might have been under other circumstances.

Undoubtedly we are all influenced by circumstances, but under no circumstances must the decalogue be violated. We cannot admit the doctrine of the great influence of particular conformations which Mr. T. proclaims. Nor do we think that the worst and greatest

\* Lord Lytton, formerly Edward Lytton Bulwer.

number of convicts are influenced to crime by an original feeble constitution.

Under the head of the practicability of reforming criminals, Mr. T. refers with commendation to the rule in some English prisons, of compensating the convict for labors performed by him, and he quotes a severe censure upon the Government for its unwise order to abolish these compensations. "The order is *unwise*," says the magistrate, "*because the inevitable result is the retention of a highly dangerous class entirely in this country.*" And Mr. T. adds: "The extensive facility of emigration afforded to Irish convicts is found to be most beneficial, and ~~is~~ indeed constitutes the primary and characteristic source of the diminution of convicts in Ireland." ~~is~~

How often has the writer of this article called the attention of the reader of this Journal to the real practical end of that part of the Irish system which is denominated "ticket-of-leave," and year by year has it been proclaimed in this periodical, that the result of the Irish system was to provide ways and means for the convicts to get out of England and Ireland, and reach the United States. Mr. T. here confirms our oft-repeated remark, and as he is writing about home matters, he must know not only the motive, but the result, of a system that supplies our country with criminals almost as regularly as Manchester supplies us with cotton fabrics. Undoubtedly, in both cases, our home production might be stimulated into ample supply.

We have been free in our comments on the pamphlet of Mr. Tallack, because truth is of vast importance in

an argument that touches the interest of all classes of citizens. Mr. T. has also shown his appreciation of candour by the freedom with which he has expressed his views, founded on what he, without doubt, considered fair statements. We owe it to Mr. T., and to ourselves, to say, that while, in some of the statements, Mr. T. has erred by depending on Massachusetts Reports for Pennsylvania affairs, and has created a smile by declaring that the prison administration in this city was better before the opening of the present century than it is now, he has evidently written his pamphlet in the spirit of the purest philanthropy, and many of his suggestions are evidently worthy of note; and while we censure some portions for the inaccuracies into which the author has been led, by want of thorough knowledge of facts, we thank him, in the name of humanity, for the zeal with which he enters into the argument, and the information which he gives of practices and teachings within his own observation, and we present the concluding paragraph of Mr. T.'s pamphlet as a beautiful synopsis of his views on prison discipline:

“In conclusion, it may be repeated that, whilst the deterrence of criminals is a principle justified by necessity and warranted by Scripture, within due limits, and whilst justice to the virtuous and peaceable citizen requires the treatment of the evil-doer to be really a punitive one, yet the great, and, it may be truly said, the overwhelming, proportion of poor, ignorant, neglected, and physically or mentally defective persons, in the ranks of offenders, demands much more practical consideration from the framers and administrators of the law than it has hitherto, for the most part, received.”

"It is not given to the wisest human judge to pierce the motives and weigh the temptations of the erring. Whilst seeing the effects of dominant evil, he, in general, "knows not what's resisted," nor can he measure the real amount of extenuation. Hence, whilst inflicting penalties which ought to be "a terror to evil-doers," two other duties are equally to be borne in mind: firstly, to restore the offender to liberty, with really *altered habits*; and, secondly, to render to society some, if not complete, amends for the injury which it has sustained. Happily these two results are not merely compatible with deterrence and prevention, but are, when most efficiently administered, *the very best forms of securing these important objects.*"

---

## CASIERS JUDICIARES.

Those who frequent the criminal courts must observe that, as a general rule, the administrators of the laws are much influenced, in the preparation of a sentence upon a convict, by the fact that he is in the "dock" for the first time, or that he is a "repeater" of the crime of which he has just been pronounced guilty, and upon the verdict resulting from his trial he awaits the judgment of the Court. Nothing can be more natural, and apparently nothing more consistent with the intention of the law makers, than that the punishment of a criminal should be measured by the disposition which he has manifested to do wrong. That while the trial of the accused should be only for the crime set forth in the indictment, the *animus* of the criminal should be in some measure inferred from his antecedents in regard to crime, generally, but especially with regard to the particular

class of crime to which the offence for which he is now tried, may belong.

The man who has lived a life of crime in England, and has been released from the Penitentiary of that country, or from the penal colonies abroad, upon "ticket-of-leave," ought not to expect a degree of leniency on conviction of crime *here*, that might be fairly exercised towards one known to have avoided crime prior to the act for which he has just been tried. And this seems correct. We would not have a man tried for one crime and punished for another—but we cannot doubt that the intent of the accused in the present act may be inferred from his antecedents.

Often when there is hope of acquittal upon any grounds, we see the advocate and the friends of the accused hunting up testimony of "former good character"—often the whole case becomes affected and lost to the prisoner, by some unfortunate development of previous misconduct. We are not to lose sight of a great truth that concerns all criminal trials, viz.: that there are two parties to the suit. It is not alone the prisoner at the bar that is interested in the verdict of the jury. He certainly is concerned in the result of a trial that may consign him to ignominious death or protracted incarceration. But there is also a great public deeply interested in striking terror into the minds of offenders at large, by a lawful punishment of the offender that is on trial. The second party is often overlooked and its interest disregarded. "The poor fellow at the bar," it is said, "has probably done wrong, but what good will it do the community to have him shut up in a prison, while his family needs his services ?

This is usually the appeal of badly informed philanthropists, who seem to overlook the fact that the community, whose interests they so lowly estimate, is composed of individuals, each one of whom is liable to suffer by the depredations of lawless men, and that one rogue let loose may bring suffering to many individuals, who help constitute the public.

Punishment by the law is not merely legal vengeance. Men are not sentenced to the Penitentiary merely because they have stolen or counterfeited, but also because the community naturally desire that men should not steal nor counterfeit. The community is right—the thief and counterfeiter are wrong. Their liberty endangers the community, and the right party has a right to protect itself against the wrong. One means of that protection was some time since adopted in France, and seems to be regarded as very effective and worthy of extension. It is known under the title of

#### CASIERS JUDICIARIES,

and is the result of the labors of M. Bonneville de Marsangy, whose name and whose services in the cause of prison discipline are known to most of the readers of the Journal. These *Casiers* were established in France, in January, 1851, and have been found to produce great benefits in the administration.

*Casier* means chest—compartment, or division. As we have scarcely any word in our legal nomenclature by which to translate *Casier*, we will adopt the French word, and give some explanation of the plan.

The object of these *Casiers* is to have registered therein the facts of each criminal case tried in the court to which the *Casier* belongs, so that if the convict is presented a second time for trial, and found guilty, he may have his motives a little measured by his antecedents.

But these *casiers* are the common property of the judiciary of the Empire, and when an accused is brought before the Criminal Court in Marseilles, either the prosecuting attorney or his own advocate may ask from the *Casier* of Paris or of any other place from which either party may desire information, the record of the *Casier* with regard to the prisoner. Of course neither party would make such a demand unless it was known or believed that some information favorable or unfavorable was to be had there. The prisoner, on trial in Marseilles, may have been before the Criminal Court in Paris, if he was acquitted and nothing unlawful was proved, it may be to his interest to have that fact stated. He may have been found guilty of hienous crimes on that trial, and the prosecutor may strengthen his case by presenting a record of the fact.

With reference to allowing the fact of a former trial to affect the result of that in progress, M. Bonneville says: "The magistrate whose duty it is to pronounce upon every infraction of the penal law, has always a double duty to discharge—to weigh the fact in itself, to examine afterwards the morality and the antecedents of the actor, and it is only after having devoted himself to this double appreciation that he is able, wisely and discriminately, to consider the scale of penalties, and to pause on a salutary repression."

M. Bonneville proposed another plan, an infallible means of enlightening the magistrate upon the antecedents of the accused. This was the localization in the Registry of the *natal* arrondissement (or Court Circuit) of all the judicial decisions concerning each *convict*; and, thanks to that means, every time that an individual appeared before the tribunal, nothing was easier (the place of birth being known) than to procure the most reliable information relative to his morality and general antecedents. These *Casiers* seem to fulfil in France all the promises made in their behalf, so far as regards the judiciary. Practice has improved them, and most persons connected with the Criminal Court of France, recognize the great utility of the scheme. But it seems that other benefits are promised, perhaps they have accrued from these *Casiers*, than those immediately connected with the Criminal Court.

The author of a work in French says: "The principal object of these *Casiers* is to enlighten the Courts upon the antecedents of individuals brought before them, but that is not the only utility; to establish the situation, moral and judicious, of each citizen called to discharge the functions of a juryman or to exercise the right of an elector; to allow of the verification which men who present themselves for places in the army are not affected by any legal incapacity; to instruct as to the right and qualities of individuals who seek employment in the State; to guaranty families from the bitter regrets so often experienced in looking back upon the confidence which they have incautiously bestowed upon unknown adventurers who have sought alliance with

them ; to secure private citizens with regard to the bad faith of those with whom they may transact business ; to assure, finally, the merchant, companies and industrial associations, as to the probity of their agents and employees, and these services are daily rendered by these Judiciary *Casiers*. Not only are they a source of precious and valuable information to the Courts, but all members of a nation find in their establishment a sort of moral security."

While great praise is bestowed upon these *Casiers* in all their application to cases in France, it may be doubted whether their utility in this country would not be confined to the interests of the Criminal Courts. An accused in the dock might not be permitted to complain of the transmission of the records of his former crimes from one court to another, to influence a judge or jury ; but the business man might cry out against this record of espionage that touches his credit on 'Change. Though there are in the country several offices in which are recorded what is known or suspected of business men's credit, and money is paid for the right to examine or to receive a transcript of this record for business purposes. Still less will the young gentleman on matrimonial affairs intent, be gratified with the knowledge that his chances of success depends on the statement of the *Casier judiciarie ou matrimoniale*.

And quite as much mischief has been done in social as in mercantile life, by deceptions which these *Casiers* are intended to prevent or expose, and either of those conditions have been affected by want of information, quite as much as has public justice in our criminal

courts. Certainly the French author argues strongly in favor of the *Casiers*, with regard to all the interests which we have noticed.

We have spoken above of what is meant by *Casier*, but as it is probable that from one or two circumstances the question of the creation of such a branch of judicial business may occupy the public mind, we translate a short description of the plan :

"A *Casier*, in the proper sense of the word, is a collection of little cases or compartments, of regular form, all of one height, breadth and depth. A large press, or closet, in the form of the *Casier*, is placed in the office of the clerk of each tribunal of the first instance (the lowest court), in a position the least accessible to the public, and as far as possible in the places in which are kept the record of the court. In each one of the compartments, or boxes, or divisions of this armory or press, answering to the letters of the alphabet, are received and classed alphabetically, the bulletins containing the sentence pronounced against each individual born in that arrondissement or court district.

It is important to add that, with a view of facilitating examination, all the papers relative to the same person are placed together in one enclosure, bearing, as a superscription, the name of the sentenced person.

Further the order of dates should be observed in the partial classification, in order that the extracts destined to make known the instruction furnished by these *Casiers* may fully present the statement of the prisoner's condemnation in chronological order.

We derive our knowledge of this scheme of *Casiers*

from a volume of four hundred octavo pages, from the pen of O. Despalys: "Substitute du Procureur General pris le Tribunal de Reims." The author has a full knowledge of the operation of the scheme as practised in France and Italy. Portugal has commenced the work, and Austria, Bavaria, Switzerland, Wurtemberg, are about to give it a trial.

It seems to work well in France, and the author anticipates its good effects in the United States, in which, he says, several societies, established with regard to the progress of legislation, have requested from M. Bonneville further explanation and exposition. And the author says the answer to their request was delivered to an association in 1868, and it is added, "The question of *Casiers* is now undergoing consideration in the United States, and we may hope that it will be carefully examined and soon applied."

The system of *Casiers* is, the writer believes, applicable to all nations that have a judiciary, and the system could be made international. We are not prepared to advocate the measure, but one which promises so much good, and of which so much good is already reported, is certainly deserving attention. There will always be a difficulty in adapting the judiciary measures of other countries to the wants of our own people. The federal character of our government renders it difficult to make co-operative the judiciary of various States. Still the cause of justice and the cause of mercy are always worth attention, and if some parts of the French system may be considered as inapplicable in this country, by the difficulty, if not the *wrong*, of palliating the crimes, and

the errors, and even the criminal misfortunes of individuals, that which is strictly "*judiciary*," and which bears only upon malefactors, may, at least in large States, be found beneficial.

---

## PRISON MATTERS IN THE UNITED STATES.

### MASSACHUSETTS.

We have received and read the Sixth Annual Report of the Board of Charities of Massachusetts. It is a beautiful volume of more than four hundred pages. We like to notice the liberality which provides good printing for public reports. It shows that a proper estimate is set upon the matter reported.

This Report, besides statements at large of the situation and working of all the institutions to which the State of Massachusetts contributes either the whole or a portion of the means, contains elaborate and masterly essays upon the subjects of the Report.

We observe that there is in Massachusetts a growing disposition to place paupers and lunatics and some young clients of the public in families, in preference to asylums. No doubt that would be a great improvement, if humanity and science could direct the new members of the family, but experience in this State, with reference to paupers, would seem to discourage such a course.

The Massachusetts State Prison at Charlestown is represented as not only paying its own expenses from the labors, of the inmates, but really adding to the income

of the State. That may be—must be, as it is so stated—but in looking over the statement of expenditures and incomes in the County Prisons, Houses of Correction, &c., we notice that the balance is on the other side. For example, the New Bedford Jail and House of Correction seems to employ the prisoners not only *in* but about the prison, and the receipts on account of the labors of prisoners, are \$9,900 02 (the highest with the exception of the Boston House of Correction), yet the whole expenditures of the New Bedford institution, noticed above, are \$29,993 11; leaving a balance against the place of \$20,093 09.

The State Prison is said, by some persons, to yield a profit of about \$18,000 by the contract system. We do not learn that the convict shares, in any way, in the profit of his labor, as he does in the Eastern Penitentiary of *this* State, and in the Philadelphia County Prison. But on examination of the official Report, we find that there has been no such profit. On the contrary, from the year 1850 to 1859 the dead loss, the balance against that State Prison was \$105,675 43, and from 1860 to 1869, \$4,123 20. These are large changes, and in the right direction; but there may be a change, in the decade before the great loss, that is from 1840 to 1850, the loss was only \$8,744 24. But while the State Prison is said to be profitable by the work of the convicts, we notice that the Boston Jail and the House of Correction give a very different statement of their balance sheets. For example, the House of Correction, where so much work is carried on, is kept up at an annual deficiency of \$11,599 00, and the Jail, where no

work is done, at a dead loss of \$28,404 15. No County Prison or House of Correction in Massachusetts is self-supporting.

*Drunkenness.*—We feel, as all do, an interest in the progress of attempts to stay the scourge of drunkenness in our land, and we then turned to the tables to see what drunkenness had done to swell directly the list of prisoners in Massachusetts.

We notice that the whole number of drunkards in all the various kinds of prisons—Work House, House of Industry, &c.—in Massachusetts, on the 30th of September, was 797, of whom 329 were women, rather a large proportion; of these, the County Prison of Boston had 55 men and 22 women.

There was not a single drunkard in the Prison of Plymouth County, and the Prisons of Barnstable and Edgarton were without prisoners of any kind—a proof of good morals among the people or independence in the magistracy.

The perfect organization of the Board of Charities of Massachusetts, its experience of several years, the homogeneous character of the people, with perfect sympathy between the Capital and the State insure to the Charities of that Commonwealth good direction and able historians.

#### NEW YORK STATE REPORT.

Among the reports of prison proceedings which we have read, is a volume containing the Annual Report of the Inspectors of the State Prisons of New York, for the year ending September 30, 1869. Before we make any

note of the contents of this volume, we cannot refrain from remarking upon the style in which the work is brought out, handsomely printed, on good, white paper, with an engraved title page, and several engravings; the first, a representation of the Sing Sing Prisons, and second, a view of Auburn State Prison, third, a view of Clinton State Prison, and fourth, a view of the Asylum for Insane Convicts, in Auburn. These are handsome additions to the book, and are instructive to those who would fully comprehend the means of carrying out the prison system in the State of New York. We wish the new volume, with its handsome binding, well executed illustrations, good type, well set, and fine paper, could find its way into the hands of those who direct the public printing in the States generally.

The system in New York is to make as much money out of the labor of convicts as possible, and of course the author of the "reports" of any one of the State prisons in that State, presents as boldly as possible, the amount which the labors of the convicts have enabled the wardens of the prisons to deduct from the gross cost of maintaining the institution.

We notice that the daily expense of maintaining individual prisoners in Sing Sing, is fifty-eight cents for men, and fifty-four for women. Among the expenses of this prison is \$1,268 42 for "pursuit of escapes," for the month of October, 1860. The salaries of the officers and teachers amount to \$7,438 93 per month, and sometimes a hundred dollars more. After deducting the total earnings of the prisoners, the balance against the State was, in 1869, \$86,783 45.

In the Sing Sing Prison, the 1,247 male convicts are thus employed, viz.: in manufacturing shoes, 276; saddlers' hardware, 155; cabinet ware, 99; malleable iron, 68.

Manufacturing stone and lime, 208.

Working about the building, nurses, clerks, and general service, 383.

Patients, invalids and cripples, 58.

There are 122 female convicts, employed in ordinary prison service.

The Chaplain, in his report, bears testimony to the great value of kindness as a means of amending the lives of the convicts. He says: "I may be permitted to add my humble voice to that of those who claim that the reformation of prisoners can be achieved, if not only, at least better, by the power of kindness, by a religious and moral influence, extended not merely by empty words, but in practical, moral assistance, when needed."

As a means of permanent improvement, the Chaplain suggests: "Not only should religious books and tracts be placed frequently within the reach of the convicts, but such other useful books as are calculated to enlist their interest and create an appetite for reading. The Chaplain states that religious associations of different denominations supply reading to the prison, of books and pamphlets of a special adaptation to the cases of certain of the prisoners. And the Society of St. Vincent de Paul, of New York city, supplied 300 volumes—and the American Tract Society contributed 600 tracts per annum.

The Chaplain thus speaks of the effect of associated confinement :

“One great source of evil to which I may be permitted to refer, arises from the crowded condition of the Penitentiary.” He then speaks of the evils from associating young and old offenders—and those of many crimes with those of few offences, and he shows that the conversation of cell companions is usually about crimes which each may have committed or known of, and efforts to escape, &c. In *our* opinion, the true way to avoid all these evil results of associated cell life, is not to “sort out” the prisoners and put them up according to age, or advance in crime—but to separate them entirely. The best prevention of bad conversation is to separate those who converse badly. The Chaplain earnestly recommends additional appropriations to aid discharged prisoners.

We were struck with the statement of occupations of prisoners before they entered the Penitentiaries.

There were a vast number of “quarry men,” all of whom could be employed *en metier*—and so with most of the convicts—but there was one deputy sheriff, who could not serve writs there, and *four* “*do nothings*,” who could not be employed in their former profession, as they are sentenced to *hard labor*.

This “*do nothing*” profession is a wonderful promoter of prison population.

#### AUBURN PRISON.

This is a large prison-house, having an average of about 930 convicts. Many of these are employed on

contract, by manufacturers, and earn from forty to seventy-five cents a day. The average earnings is about \$10,000 a month. The salaries of the officers amount to \$5,315 a month, and the current expenses of the place are nearly \$1,500 a month.

It would seem, from a tabular statement, that the rations cost about fifteen (15) cents a day. There were admitted to the prison, in 1869, four hundred and twenty-four (424) convicts, and there were discharged four hundred and twenty-five (425) in the same time—a remarkable approximation of numbers considering that many had undergone very long imprisonments.

We notice, among the miscellaneous expenditures, four hundred (400) dollars for counsel fees.

Among the rations for one month were, molasses and tobacco, \$108.34; of which of the two the prisoners used the most, is not set forth. But as there is a considerable charge in the next month's expenses for spittoons, we may suppose that the use of tobacco was not neglected. Tobacco comes up every month, and sometimes in two or three purchases. In one month, \$153 is charged to tobacco.

*Punishment.*—There were 151 punishments inflicted in 1869—3 yoked, 43 shinned, 101 in the dungeon, 3 ball and chain, and 1 head shaved.

There have escaped four.

We notice that complaints are made of, and preventions suggested for, the evils of night-buckets, yet water is abundant.

*The Chaplain's Report*—mentions the regular religious services. On the morning of each "Sabbath," there is

a Sunday-school taught by the students of a Theological Seminary, and by other gentlemen from the city. At 9 A. M. religious service begins, in the presence of the Deputy and about thirty Keepers, and many (often three hundred) visitors from the town.

The services are according to the usages of the ordinary congregations, met for public worship. "Roman Catholic service is occasionally held for the accommodation of those who prefer that order of worship."

In the afternoon of Sunday, the prisoners are visited in their cells, and religious conversation is heard, and tracts left.

Religious instruction is continued throughout the week.

There is a Library of 2,500 readable books, in English, German and French. One for each convict is supplied.

The Chaplain does not think that physical punishment may be dispensed with in the prison.

There are in the Auburn Prison 909 convicts, of whom 390 are of no trade or profession. Most of the men could be employed in some work analogous to their lawful pursuits abroad, with the exception, perhaps, of one circus performer. The "teachers" may have had an exercise for their trained faculties, as a good school is kept up in the prison.

#### CLINTON PRISON.

The average number of convicts in this prison is 503.

In the prison are carried on large factories, and mining, and burning, and hauling ores.

We see, in some remarks of the Warden, how prisons are found to be profitable. The new Warden says he received a certain quantity of nails from his predecessor, at a certain price. These sold in open market for \$15,000 less than they were appraised at; and on a quantity of wood, cut by the prisoners, and not sold, the returns were \$15,628 less than the article was considered worth when the accounts of the previous year were made up, and there was an excess in the appraisement of coal, of \$3,000; and, besides, all the debts due from the prison, amounting to several thousand dollars, were not taken into the account.

With this mode of making up balance sheets, we need not be astonished to find certain prisons set down as self-supporting, and even money making institutions.

There were thirteen escapes.

Religious and moral papers, and some of neither character, are allowed to the prisoners.

In a prison whose limits are so extensive, and whose command of employment so great, it is difficult to tell what ordinary occupation before conviction would not be made useful after sentence.

*Carrying chains* was the condition of one convict, and he may, in the field labor of the Penitentiary, or at forest employment, be made useful, especially as we notice that a railroad is projected.

We observe that among the convicts there is one that followed the business of a *pilot* before he was sentenced. One would suppose that in a State prison the business of piloting vessels would be rather in abeyance, but the business of the New York State Prison is so extensive,

and the out of door labor so abundant that perhaps without interfering with the sentence of the Court, or at any rate without extending actual privileges, the pilot might work out his sentence in the exercise of his profession, on the lake in the vicinity of the Prison, and bring produce and convicts to the establishment, and take away productions and the discharged. The old idea of prison limits need be very little enlarged to effect this.

The Physician of the Prison complains that the clothes of the convicts are indiscriminately given out, so that those worn one week by one person, may fall to the share of another, at the next distribution, and this, too, it would seem, with very improper washing.

#### ASYLUM FOR INSANE CONVICTS.

This institution is one of great interest. There were 79 patients at the close of the year.

The expenses of the house are about \$16,000 a year.

The Chaplain reports regular services in the chapel, and very little interruption has been caused by outbreaks among the worshippers.

These are the great penal institutions of New York State. They seem to be pretty well conducted, but the system makes hopeless almost all efforts at improvement.

#### NEW JERSEY.

An interesting Annual Report of the State Prison of New Jersey has been made for the year 1869.

The affairs of the institution seem to be well admin-

istered, but that Prison, like some in this State, is without proper space for the number of prisoners sent thither. The Report says :

“The number of convicts within the walls of the Prison at the date of this report is six hundred and nine (609), while the number of cells is only three hundred and fifty (350). To the evil effects of the want of proper accommodation, the impossibility thereby of a thorough reformatory discipline, and the sanitary risk involved in such over-crowding as is now unavoidable, allusion is made by the officers of the Prison. And your committee would again urge prompt legislative aid and appropriation to remedy a great radical evil.”

We notice that insane convicts are removed to the State Lunatic Asylum.

The Commutation Law is said to be productive of great good to the inmates of this prison.

The contract system, by which the convicts work in company, prevails in this prison.

## VERMONT.

The Annual Report of the Vermont State Prison for the year ending September, 1870, shows that there are eighty-six convicts in that place. Of whom only *one* is a native of Pennsylvania.

The Report complains that not as much money has been made by contracts for the convicts as have resulted from similar arrangements in some of the other New England States.

The worship in the prison is so public that often the congregation consists of more than twice as many as are inmates of the prison.

Separate cells are mentioned as a necessity for useful instruction.

We notice with regret that the great end of imprisonment in the New England States seem so mingled with pecuniary profits, that other benefits to result from the sentence of the Court are apparently regarded as minor, though valuable considerations.

We notice with pleasure that special regard is given to insane criminals, let us rather say, insane convicts. The discrimination between the sane and the insane seems to show that the ministers of the law desire to proceed no further than the point where responsibility ceases.

## MAINE.

The Report of the Warden and Inspectors of the Maine State Prison, for 1869, shews that at the close of the year the number of convicts was one hundred and seventy-four (174).

In discussing the financial condition of the prison, with a view of extending the manufactures, and thus making the institution a source of procuring profits, it is recommended that there be furnished for each convict a capital of \$500, with which to carry out the labor of his special department. In some of the Northwestern prisons, the capital is \$1,000 per convict.

The remarks of the chaplain on the character and

views of convicts are such as we have more than once offered in their general import. He says :

“The majority of convicts are not so hard as the outside world are accustomed to believe. There are men here *notoriously* vile and depraved. But there are scores sensative to anything mean ; conscientious in more than ordinary measure ; dupes of villains who are at large, or innocent sufferers for other’s crimes. Such may be benefitted, nay, even the worst do show sometimes that they have a heart, while this is true they are not to be despaired of.”

The subjoined sentiment is good : “We are no sentimentalists ; we believe in punishing the criminal, not solely for vengeance, nor chiefly, but mainly for safety and reform. Mercy is good, and so is justice ; and justice may be so tempered and inflicted as to be mercy, as well to society as to the criminal.”

It is a ruling practice with the pardoning power of the State, to grant no pardon to any one without a clear record for one year.

---

## FOREIGN.

We have received our usual supplies of Reports upon penal and charitable establishments in Europe, and we shall notice their contents when there is any statement of change in the organization or administration of the institutions.

We notice that the English Reports which we have

received, are little more than concentrated statements of the reports from different prisons and reformatories which we noticed at large last year.

### FRANCE.

We have the Report from France, but the disturbance in that country has been such that nothing of a recent date has been published with regard to prisons. War, carnage, desolation, are the themes of French information. Following such conditions of society, there is usually a terrible duty for those who administer the criminal law, and abundant occupation for those who report the result.

We notice that a custom has prevailed in France of freeing the country of the criminals of foreign birth who have undergone punishment for crime in that country. They are carefully conducted to the boundaries and dismissed. The efficiency of the police there prevents the easy return of these *expulses*. The whole number of foreign criminals thus dealt with in 1867, was 1,882. There is a courtesy in this form of dealing with convicts which might be practised with profit elsewhere. It seems an uncalled for exercise of liberality to continue to retain in a country foreigners who divide their time between the pillaging of honest citizens and imprisonment for the crimes of which they do not repent, and which they mean to repeat with such additional improvements of art and extent as close study and comparison with other rogues in the prison, may suggest.

It appears to us that we have no "reports" of the operations of prison justice so complete as are those from France. We notice as a sample of their comprehensiveness, that in a statement of trials and punishment for crime, not only are they given from Algeria and other colonies, but there is a head of *China*, and the place of trial and punishment is given as "on shipboard."

In France it would seem that no one is overlooked. The foundling, as soon as he is dropped into the crib, at the hospital gate, is considered national property, he is recorded on the roll, and from that moment his course is marked, while he continues on French soil. His good or bad conduct seems to be made as much a cause of record, as was his reception, and the stages of his progress are noted and can be known when public good or proper private curiosity warrant an inquiry.

All these children of France, the sons and daughters of "somebody," are regarded with wonderful care, and when it is possible to ascertain the religious connexion with which they were born, their education is provided for with special reference to that creed. Thus there are Catholic schools and non-Catholic schools, and the latter are divided by religious distinction into Protestant Christian, Jews and Mohammedans.

#### ENGLAND AND WALES.

We have received a massive volume, containing—

**FIRST.—Police, Criminal Proceedings, Prisons.**

**SECOND.—Criminal Law, Equity, Civil and Common Law of England and Wales. 1869.**

This work, though valuable to the statistician and the jurist, is less in our way than some others. We notice, however, that the police and constabulary force of England and Wales consists of about 26,000 men, at a cost of \$10,422,982, averaging about \$400 a year for each man. There are under 16 years, 16,074; over 16 years, 102,316, making 118,390 persons known to be thieves and depredators, of whom 26,000 are prosecuted.

There are 20,080 houses of bad character.

The whole number convicted in 1868 of various kinds of felony was 15,033, and the *costs* of all these cases was about \$800,000.

Something of the difference of cost to the county of the summary proceedings before the police magistrates of London, and those before the courts, may be inferred from the fact that the average of costs on indictment was \$4 00, while before magistrates it was 10 cents. The cost on indictment before the high courts, is from 40 to 60 dollars.

#### PRISONS.

The returns relative to prisons are no later than those we analyzed last year.

The number of convictions continue to increase about seven per cent. per annum.

In reference to recommitments, we notice that not more than one-quarter as many women are committed for the first time as of men, and then the female repeater increases the proportion, till the repetition comes up to ten times and upward, when it stands—male, 1,656; females, 2,832.

Of 143,000 committed, Great Britain, Scotland and Ireland furnish all, excepting about 2,800. So that the nation seems quite independent of foreign countries for her supply.

The cost of the prisons for 1868, was \$3,456,895, or an average of \$132 per annum for each prisoner. Most the other facts set forth in the Report were noticed by us last year. The part relating to the civil courts must be exceedingly interesting to gentlemen concerned in law.

#### LONDON POLICE MATTERS.

Many improvements have been made in this country, and especially in this city, in the organization and management of the police, so far as it regards the *personnel* of that body, but no improvement has as yet been attempted in that part of the judiciary by which the work of the police is legally settled. We have, perhaps, nearly a sufficiency of police officers, but there is a deficiency in some of our police *officers*. The improvement in the police force is mainly in the organization and direction of the force. The deficiency in the police officers comes from a deficiency of organization—less from a want of abilities in the magistrate, than from a want of a full detail of duties and fixed compensation for their discharge.

Everything, in London, seems to be under some rule, and, therefore, under some ruler, and consequently almost every act that interferes with public convenience, or private right, is also against some well understood

law. So that there seems to be a remedy for almost every evil but death, in London and its surroundings.

The Metropolitan Police, which has its centre in London, and its circumference in some rather distant portions of the kingdom, is, for the number of men and officers, rather expensive, but the expense of punishing offenders is diminished in proportion to the cost of preventing offenses.

The total number of men attached to the Metropolitan Police of London, including all grades of officers, is 8,883. Of which 1,099 are employed in special duties of the Government, public parks, dock yards and public buildings. The pay of the force alone amounts to £557,443, equal to \$2,787,215. In the Metropolis, the total length of streets patroled by the police, and for the peace and security of which they are held responsible, is 6,708 miles. The long beats are traversed by mounted policemen. The whole number of arrests in 1869 was 72,951, of which there were 43,691 convictions. The causes of arrests seem to be about the same as in this city, but more care is evidently taken by the London police in arrests than by the police in this city.

There is a pretty large Detective force in London, which, notwithstanding the general repugnance to such an arm of the police, seems to do its work well and acceptably, and is highly commended by judges and police magistrates. The discipline of this force is kept up by fines or dismissal, and in case of gross misconduct by charging them before a magistrate.

The Report which is now before us, shows the action

of the police upon certain classes of offenders. 7,280 prostitutes were arrested in 1869, and 2,215 convicted. No arrests can be made unless the offenders are disorderly. The total number of beggars, rogues and vagrants apprehended in 1869, was 6,996.

Great use is made in London of the police stations for persons without a home or means to provide, and the hospitals contain *casual* wards, to which persons are admitted by ticket from police officers. In 1869 orders for admission to the "casual ward" were 1,379, 931, and 11,239 refusals. These wards are visited every night, and a record made in a book of every special case, and the Report contains copious extracts from these records, and some of them are quite amusing. One old man and his son were regular *tramps*, that is wandering beggars. The son, 30 years old, was born as a tramp—both declined to work, as unprofessional. One person, arrested by the police as a receiver of stolen goods, had acquired property to the amount of \$55,000, and he was connected with first class thieves, and advanced money for them to pursue their trade in Spain, France, Germany and the United States.

The permanency of a police appointment makes the officer acquainted with the persons, places, and circumstances of his beat, and thus property stolen is more easily recovered, and the offender sooner detected than in this country.

Of the 8,883 men of the Metropolitan Police, in 1867, only 20 were reported for any fault, and 16 were convicted. Of the remaining 4, there were 3 retained in service. 136 withdrew on pensions.

The Police have the general care of giving alarm for fires, &c. The number of fires in all the districts in 1869, was 593.

There are 5,782 licensed cabs in London.

4,117 common lodging houses were registered in London, affording places for 82,340 lodgers. These are under the immediate care of the police, and 162,240 visits were made to them in 1869.

*Betting houses* abound in London. These are places for getting up bettings on races, fights, or selling lottery policies. Great difficulty is encountered in proceeding against these establishments.

A new kind of boot for policemen has been invented, and it is thought that there will be a saving in the expenses of \$20,000 a year by its use.

Between 1849 and 1870 there were built in London, 225,822 houses, adding 5,831 streets, 1,030 miles in length, and 67 squares of 560 yards.

The importance of improved magistracy is shown in the following statement: In 1869 there were arrested 72,951 persons; of these, 40,408 were summarily convicted, which means, generally, that with the prisoner's consent, he was sentenced without the interference of the sessions. 28,355 were discharged by the magistrates, 4,188 sent to sessions, 3,283 were convicted, and 905 were acquitted. 13 awaited trial.

This mode of summary disposition of cases may require more knowledge of law than some of our magistrates possess, but it must save the courts much time for more important cases.

Under an act of Parliament, it seems that *common*

*women*, as they are called, are put under surveillance in certain districts (not including London and its immediate vicinity), including seaports, Portsmouth, Sheerness, Gravesend, &c., in which places 7,666 were registered, and subjected to restraints, &c., similar to those in Paris. Of the number thus registered, 385 were married. In the monthly examination, 49,389 certificates of freedom from disease were given; of course this includes the period of six years. 107 of this number died.

The English Reports denominate this class of persons "common women," when they are medically considered—but legally they are named prostitutes.

As we have often referred to a desirable improvement of the Philadelphia police upon the plan of that of London, we give the composition and cost of the Police Courts:

1 Chief Magistrate, salary,	-	-	-	\$7,500
22 Magistrates, at (each)	-	-	-	6,000
23 Clerks, varying from \$450 to	-	-	-	2,500
50 Ushers, Jailers, Messengers, at from \$350 to				650

Of these Courts, 11 are in the city of London.

The whole cost of these Courts is about \$351,013, of which \$67,340 are paid by the fines, penalties, and forfeitures. These never pass directly into the hands of the magistrates or officers. They are gathered chiefly in the Police Court of London. The magistrates have no right to increase their income to the smallest amount beyond their salaries.

## THE EFFECT OF ARRESTS ON THE CHARACTER AND CONDITION OF THE ARRESTED.

How many who have passed through one imprisonment and felt the degrading effect upon their value the estimate of others, and have begun to see that effect produced on their estimate of themselves, are ready to exclaim, "I was alive without the law?" The effect of imprisonment upon a criminal charge is terrible to the sufferer. Through the whole of the incarceration there is a sense of degradation in the sufferer's experience, and on going abroad into the world (the time of sentence having expired), there is a terrible, a disheartening jealousy of every one formerly known, and a wretched apprehension of what may be learned by those not known before imprisonment.

We have been speaking of a person who has been undergoing a sentence to imprisonment for the first time. If such a person was innocent, about such an experience would be encountered—If the imprisonment had been without deserving—but if deserved a still greater nervous apprehension would be entertained by the discharged convict. Of course we allude to one with a strong sense of the world's appreciation of the disgrace of a criminal sentence, an appreciation in which he has shared. Every eye seems turned on him, and if the sufferer is a female, then is the nervous apprehension double, and life seems so beset with the evil consequences of one imprisonment, that it may be imagined that more imprisonment would rather diminish than augment the jealous sensitiveness, and without a love of

crime, the sufferer may be driven to violation of the law because the law has no further terrors.

Those who have watched the descent of prisoners in the moral scale, have often been struck by the evidence of some power repelling them from virtue quite as forcibly and effectually as circumstances and associations allured them to vice, and the question, to a female who was entering upon the fulfilment of her second sentence—"Why, have you come again, when you promised so strongly, and with so much apparent sincerity, to avoid crime and its occasion?"—is often answered by the assertion that not only had caste been lost by the first imprisonment, but that even something of the sense of degradation of conviction for crime had been removed, and the temptation to offense again was more than seconded, by the difficulty of regaining the position forfeited by the exposure of the first sentence.

We do not mean that such a motive is legitimate, or that the reason assigned is sufficient to excuse, certainly not to justify, an act that would lead to arrest—but though it neither justifies nor excuses the offense, we do not doubt that what is stated has caused the second or third offense, and we are to meet the *fact*. Whatever may be the reason, or however destitute it may be of reason, the *fact* that arrests are much more abundant than they were formerly is evident. In the first place, the population is larger than it was—and that population has been augmented and vitiated by a foreign element, who, having "left their country for their country's good," infuse into the weak and erring masses of the country a new element of mischief, and a new cause for

arrests and imprisonment. The enlargement of our cities, as a result of railroads, has sharpened the wit of those who have little wisdom, and thus increased and justified arrests. Crime, like other evils, "grows by what it feeds on."

Admitting, then, that crime has greatly increased, increased even more than has the number of the population, still it is evident that arrests have increased greatly beyond the march of population, and beyond the increase of offenses. And what is worse, the arrests—causeless or unjustifiable—have lead to the very crimes that have been falsely imputed, or have at least lead those who had not a very strong hold on virtue to release that grasp and slip into the embraces of vice and crime.

We suppose that there never was a time when all the white women of this city were faultless, were, indeed, without a charge of criminality, yet there was a time when the prison of the City and County contained no *white* female convict; though certainly some colored females were found in the convict cells.

How it happened that colored women should occupy the prison, we can understand; but why no white women should be there is less easily resolved. We can comprehend why there should be more blacks than whites in the cells in proportion to the number abroad, because the low estimate in which the blacks were held, if justified by their misconduct, certainly not unfrequently lead to that misconduct. And we cannot doubt that many black women were committed to prison for acts that were not visited upon white females by any considerable penalty.

We submit a tabular statement, already referred to, derived from the books of the Female Department of the County Prison, which serves to show the progress of punishment, if not of crime.

#### FEMALE PRISONERS CONVICTED FROM 1838 TO 1870.

<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>	<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>	<i>Year.</i>	<i>Whites.</i>	<i>Blacks.</i>
1838,	None.	6	1849,	13	16	1860,	58	21
1839,	15	50	1850,	10	10	1861,	42	20
1840,	11	38	1851,	19	16	1862,	47	21
1841,	18	26	1852,	21	15	1863,	29	17
1842,	14	34	1853,	27	16	1864,	51	29
1843,	9	14	1854,	24	12	1865,	48	26
1844,	9	13	1855,	22	21	1866,	57	21
1845,	8	18	1856,	30	9	1867,	58	23
1846,	10	16	1857,	37	37	1868,	46	12
1847,	8	20	1858,	28	16	1869,	38	16
1848,	11	19	1859,	24	19			

Whites, 841. Blacks, 647.

Total, 1,488.

#### CHARGES CONVICTED FOR.

Assault and battery with intent to kill, 3 ; mayhem, 1 ; forgery, 1 ; accessory to a robbery, 1 ; receiving stolen goods, 22 ; suspicion of larceny, 1 ; shop lifting, 2 ; conspiracy, 1 . robbery, 3 ; attempt at burglary, 1 ; burglary, 1 ; picking pockets, 6 ; stealing a child, 1 . bigamy, 4 ; knowingly marrying the husband of another, 2 ; entering a dwelling with intent to steal, 1 ; attempt to commit a larceny, 1 ; malicious mischief, 4 ; misdemeanor, 3 ; passing counterfeit money, 2 ; disorderly house, 1 ; arson, 2 ; highway robbery, 3 ; concealing the death of a bastard child, 2 .

The others all for larceny.

Deaths—Blacks, 20 ; Whites, 3.

Pardoned—Whites, 23 ; Blacks, 3.

It will be seen that in 1836 there was not one white woman convict in the County Prison—none brought over from 1835—*none* sentenced in that year. The colored people were moderately represented. We have no means of knowing of what caste or condition these female colored convicts were; but it is fair to suppose that they were of the lowest condition of that then degraded caste, because though there were many very respectable colored families in Philadelphia even at that time, yet it is not likely that they contributed to jail population. They were so well known that their misconduct would have been noted.

But there were no white females among the convicts. Were there no white female violators of the law? Perhaps early first offences were privately dealt with, and kindness and forbearance prevented repetition.

In 1836, and before that time, there was no elective magistracy. The police knew little or nothing of increasing their income by arrests. The erring woman had not had her self-respect outraged by the horrors of a station house, and the disgrace of a prison cell.

Somebody, in speaking of the rapid convalescence of one that had suffered severely from sickness, remarked that he had only the disease to get clear of—not the remedy. While another, whose recovery was slow, or not at all, was said to have done pretty well with his fever, but was slow in getting clear of the medicine.

So hundreds of young women, who have yielded to temptation, recover by the kindness and forbearance that awaken their moral energies, and thus have not to shake off the disheartening sense of prison experience.

Women who were committed to prison forty years ago were scarcely regarded as recoverable beings. When they were sent to prison, not only were they to dismiss hope for themselves, but others became hopeless of them.

The comparative statement which we give of the numbers of white and black female convicts in the County Prison, shows that while there were in Philadelphia more than a hundred white for one black female, there was in one year *no* white female convict and six blacks. The number of whites increased slowly, but it was many years before the number of white female convicts was any ways proportionate to that of black, the population abroad considered.

Arrests commenced with a new order of things, and in a few years the number of whites greatly exceeded that of the blacks, and now the proportion of two or three whites to one black is fairly averaged.

It is really worthy the attention of those who are engaged in inquiries in Social Science, whether crime is not in some degree increased by the uncalled for interference of the officers of the law; whether the shock to moral delicacy has not, by arrests, promoted the evil which arrests were intended to prevent or correct.

It may be asked whether it is proposed to dispense with the application of the machinery of criminal law, and have none arrested.

Not at all. The execution of the criminal law is to punish one crime and prevent others. Now, if it appears that too free an application of the power to arrest has resulted in the multiplication of criminals, as well as in the multiplication of convicts, we are clearly of

opinion that the practice of arresting without special charge, is doing more harm than good.

It is true that the suspected person may have committed some wrong act—or at any rate he may, if let alone, do some wrong, but it is best, perhaps, not to hasten and increase the wrong by an arrest that places the arrested among the guilty for a time, and perhaps prevents his future association with the good.

We should not think it a commendable practice for a physician to step into his neighbor's house and apply a blister to the head or a lancet to the arm of the occupant upon the plea that he might be sick—he certainly would soon reduce him to a condition in which that sickness would be sure to present itself.

As we should be careful of the use of medicine, lest an injudicious application should fix a disease where only slight derangement existed, so should we be careful of the application of the machinery of criminal law, lest we fix on the arrested, crime, where only errors were to be found.

#### BLACK AND WHITE FEMALE CONVICTS.

It seems almost certain that few vagrants and drunkards, constituting, with others, that class of persons that, in police parlance, are called "Bummers," ever troubled the prisons much thirty-five years ago. We allude particularly to women.

It will be noticed that in 1839 the number of white female convicts had come to be fifteen, and the colored female convicts were fifty, a very high number, never equalled since by the colored women. In 1840 the

whites fell to eleven and the colored to thirty-eight. Almost every year shows a difference, but generally a small comparative gain of whites upon the colored. In 1849, the white females convicted and sent to that prison were thirteen, and the colored sixteen. In 1850, the number was ten whites and ten colored. This is the last and only year in which there was equality of colored and white female convicts. In 1860, the record shows fifty-eight white female convicts and twenty-one colored, and in 1867 nearly the same proportion existed, viz: fifty-eight whites and twenty-three colored.

The sentences were probably longer in the earlier period, as the number retained in prison was much greater at the time when the convictions were not so numerous, than they are now when the number of convictions is large.

It seems to one who has watched the movements of prison matters, and tried to derive from statistics some means of judging, that if some of the light offenders had been let off with kind monition, it is probable that they would never have given occasion for a second arrest. As it is equally probable, if not quite certain, that many who quit the prison with a resolution never again to be in the way of arrest, fail of carrying out their resolution only because they can find no place in which to maintain desirable innocence, no one to grant to them that confidence upon which must rest all hopes of success from their efforts to avoid evil and do good.

Public Prisons exist, and their miseries, though much diminished, are still abundant and irksome. The miseries certainly would be lessened if the prisons were

abolished, and society generally would rejoice if the evils which prisons were intended to punish were all abolished. The great labor which has secured only the degree of amelioration of the condition, shows how much yet remains to be done, and how much effort and sacrifice will be required to lessen still further the miseries of the prisons. We do not entertain any strong hope that prisons will cease to be a part of the provisions of the Commonwealth. Vice and crime are too rampant not to require some effective means of restraint, and we do not expect to live to see the day, nor live till we can foresee the day, when the people will cease to fear the depredations of their fellow men, or these fellow men be purged from the accursed coveting of the good of others. But notwithstanding all these discouraging circumstances, we expect to aid in the promotion of plans that will alleviate the miseries of prisons by greatly diminishing the number of prisoners.

In the first place, we believe the prison "makes the meat it feeds on," by receiving young persons who, without being entirely innocent of charges made against them, have suffered more by the accident of improper company, or an ignorance of the extent of the wrong which they were doing, and the amount of punishment they were thereby incurring. A few words of gentle caution might have kept them from the violation of any law, and failing that, a few words of affectionate, earnest reproof and early forgiveness might have saved them from a repetition of the wrong, and lifted them from the path that leads to the prison, and sent them forward in the path that leads to respectability.

But there is at work here, and almost every where in Christendom, a spirit of pure philanthropy that is raising the prison from a place of brutal punishment to a school of moral, and, indeed, of physical reform.

The efforts that the friends of humanity have been putting forward since the days of Howard, to lessen the miseries of prisons, are operating subjectively, as well as objectively, and men themselves, honest and good men are being improved by their own exertions to improve the condition and character of the dishonest and bad; so much reflective good is producing still more on behalf of prisoners. The experience of all that look toward the great object, is now being brought to a common stock, and this congress of ideas and experience is correcting the views of many and encouraging the efforts of all. Our plans of Prison Discipline are being corrected by experience in their execution; and the execution of all is undergoing modification by comparison.

We have above stated that, there were causes at work in prisons that tended to multiply the number of prisoners. Rogues leave the cell with no amendment of life, scarcely with a resolution to do better; certainly they have formed no resolution to do better *at cost*. They have not entertained the idea that they will have to meet and conquer difficulties in the way of virtue; they may think they will do better, they take no heed to the probabilities of finding the momentary temptation to do wrong of great strength, and the power of resistance lessened by a want of assurance that their self-denial will be *at once* rewarded. The evil principle seems to pay in advance, taking security for the per-

formance of the obligations by the other party. The reward for good acts is in the future, unless a "conscience void of offence knows how to find compensation in the act of goodness."

---

## EASTERN PENITENTIARY.

### NEW WARDEN.

At a regular meeting of the "Acting Committee" of "the Society for Alleviating the Miseries of Public Prisons," held on Thursday evening, May 19, 1870, George Taber announced the appointment of Edward Townsend, M. D., a Corresponding Secretary of this Society, as Warden of the Eastern Penitentiary of Pennsylvania, and added that Dr. Townsend had already entered upon the discharge of his newly assumed duties. The remarkable fitness of Edward Townsend for the Wardenship, and the fact that the office would afford enlarged exercise to his benevolent principles in the direction most familiar and agreeable to him, was a cause for hearty felicitation, while respect for the principles of the new Warden was augmented by a knowledge that his acceptance of the place was a great sacrifice of pecuniary interest, and domestic and social enjoyment. These views were seconded and enforced by Alfred H. Love, and by several members, and it was considered due to Dr. Townsend, that the spirit of the remarks should be embodied as the opinion of "the Committee" acting in behalf of this Society, and it was ordered that

Joseph R. Chandler be charged with that duty; and the following is the result of his obedience to that order.

Joseph R. Chandler presented to the Acting Committee the following

### R E P O R T .

The purpose of Alleviating the Miseries of Public Prisons, includes a consideration of all appointments and management that in any way touch the physical or moral interests of the prisoner; and those who would influence, for good, the resolutions, and, through them, the condition of the convict, must depend much upon measures, not submitted to their administration nor influenced by their direction.

Hence any change in the mode of conducting the affairs of the prison, or in the *personel* of its administration must interest those who have studied only the improvement of the prisoner, and seek to exercise their powers and discharge the duties of their mission in unofficial influence in his cell.

Something may be done to lessen the unnecessary suffering and promote the moral good of the convict, even when the government of the prison is essentially bad. All good results can scarcely be prevented where there is the least chance of reaching the ear of the unhappy prisoner with lessons of kindness, or of affectionate monitions. But an injudicious administration will considerably obstruct all these attempts for good, and miserably dwarf their fruits.

This Society has had large occasion to be grateful to

the management of the "Eastern Penitentiary," for sympathy manifested in the efforts of its committees to improve the prisoners; and they felt how much was due to the encouraging concurrence of the late Warden, John S. Halloway; and, hence the death of that good man and valuable officer was doubly regretted by the members of this Society.

An event has occurred, thanks to the discriminating care of the Inspectors of the Eastern Penitentiary, which consoles for the official loss of Mr. Halloway, by creating an assured belief that the place which he occupied is to be fully supplied.

The Society learns, with the highest gratification, that one of its Secretaries, Edward Townsend, M. D., has been elected Warden of the Eastern Penitentiary, and has already entered upon an efficient discharge of the important duties of that office.

Satisfied of the abilities of Dr. Townsend to meet all the demands of his new position, aware of his purity of purpose and his judicious zeal for the cause of humanity, and his ruling sense of justice, believing that while he is set to govern others, he has full "rule over his own spirit," and can thus the more readily control the excitable elements that are submitted to his direction; with a comprehension of all this, the Society felicitates the Board of Inspectors of the Eastern Penitentiary upon the success of its efforts to procure the services of a competent Warden, and upon the selection of a man whose self-respect precluded the possibility of his seeking the office, while his sense of duty to his fellow man leads him to accept it against his pecu-

niary interest, and especially against a natural desire for ease and retirement, which long application to professional duties fully warrants.

Nor can the Society refrain from expressing its high gratification that one of its own members has been invited, without solicitation on his part, to a place of so much consequence to the cause of philanthropy, and that now the best system of Prison Discipline in the world is likely to have its best administration.

With this feeling on the part of the members of the Society, it is

*Resolved*, That this Society recognize the discriminating judgment and foresight manifested by the Board of Inspectors of the Eastern Penitentiary of Pennsylvania in their recent election of a Warden for that institution.

*Resolved*, That this Society offers its hearty thanks to Edward Townsend, a laboring member and faithful officer of this Society, for accepting the unsought position of Warden of the Eastern Penitentiary, to which he brings a zeal according to knowledge, and a judgment matured by a connection of many years with the moral interests of the inmates of the place, and a command of self that will insure affectionate respect and ready and willing obedience from those committed to his care, and a gentle humanity that, accompanied by a governing sense of right, will secure *improvement* without neglecting *discipline*.

*Resolved*, That in tendering to Dr. Edward Townsend the congratulations of the Society, which seem to be those of the whole community, on his recent appoint-

ment as Warden of the Eastern Penitentiary, and offering him thanks for his acceptance of the office, he is assured of the constant sympathy of the members of the Society, and his hands shall be strengthened by the prayers of those who know his worth and appreciate his abilities.

The report was accepted and the resolutions unanimously adopted.

---

### WHAT IS YET TO BE DONE.

We see that movements are being made in various parts of the State to call a convention for the revision of the Constitution. Undoubtedly there is a necessity for such a measure. The Constitution that preceded that under which we now live, was a noble specimen of statesmanship, and the affairs of the Commonwealth seemed to have been prosperous under it. Whether it was better to alter a fundamental law, founded on the great principles of freedom, to suit a change of certain habits, or to adapt the habit and laws of the State to a well digested and carefully prepared Constitution, it is not in our place to discuss. The former Constitution having been changed, we have thence both precedent and necessity for amendment. We are concerned chiefly for the Judiciary, and especially for the lower branch of the Judiciary. We desire to see, especially in this city, a Police Magistracy that, with a proper knowledge of the law and a full supply of common sense, may be

able to deal with accused persons upon grounds of absolute justice, without cause of apprehension that their decisions will influence their own income, or that the amount of their business is not increased by their own efforts to make cases, and their income augmented by hasty or tardy settlement of those cases. We need a Magistracy with extended powers, Aldermen who may deal summarily with cases of a limited importance, and thus serve the cause of justice, save time to the offender and money to the city. We unhesitatingly believe that one-half of all the "costs" which the city pays for the cause of justice might be saved by such a course. The habit of litigation among those who now rush, if not unadvisedly, at least foolishly to the Alderman's office, would be arrested. The Courts would not be hurried with small prison cases, and troublesome people would learn to keep their troubles to themselves. The man that had beaten his wife, would not, while she was suffering from the bruises he inflicted on her, rush to the Alderman to get her committed to prison for assault and battery, and spend thus on a writ the amount of money which he had saved from his debauch, and ought to have given to her for the purchase of bread.

We repeat here what we have often said, that it is not to the Magistrate that is referable the wrong, but to the system; or if to the Magistrate, then still primarily to the system that hinders in some wards a proper person from occupying an office which will not afford a good living by proper means.

But another scheme of real benevolence is occupying public attention. It is one that a few years since this

Journal presented with approval, and showed its practicability and its great utility in a direction which other reformatory institutions had not operated in the State. We mean School Ships (ships, not houses) of Refuge. At a time when the old apprenticeship custom has fallen into disuse, and the lads that ought to be apprentices, have in consequence of that disuse fallen into idle and vicious habits, into the House of Refuge or the County Prison, we need to have multiplied places of restraint and means of enforcing improvement. And the lack of seamen of which our merchants complain, and for which commerce languishes, is another argument for the Ship School. Let us have employment for the young men—free or enforced—but certainly employment.

---

## NECROLOGY.

### S A M U E L C A L E Y.

We have too many members who have passed the most active stage of life to hope to close our report of the year's experience of the Society without finding it necessary to record the death of some of our number. We are passing away, and those of us who live for more than three score years and ten, have a duty to mention, their own losses, in the death of those who have labored with them, and to see that virtue in the living does not lack a stimulant by the neglect of the good labors of the departed.

The justice which we do to the memory of the virtuous is not a simple laudation of the excellence of their character and conduct, but it is rather an homage to the cause which their conduct has illustrated and a proof that the living are competent to the great duty of appreciating the beautiful life of those whom they have known and whose labors they have witnessed.

We have this year to record the death of one of the faithful laborers in behalf of suffering prisoners.

SAMUEL CALEY, a useful member of our Society and an active, devoted member of our Acting Committee, was born September 1, 1790, in Newtown township, Delaware county, and died at Marpel, Delaware county, August 29, 1870, having closely approached four score years. Mr. Caley resided from the time of his birth till the year 1849 at the homestead, purchased by his grandfather, Samuel Caley the first, soon after his arrival from Europe. This farm descended through father to son to Samuel Caley, the present occupant, the son of our deceased member.

Early in life Mr. Caley, from deep conviction, united himself with the Society of Friends, and maintained his membership to the last.

In 1848 Mr. Caley, having two years previously married for the second time, removed to Philadelphia, and he manifested his interest in the cause of the suffering, and his respect for the Society for Alleviating the Miseries of Public Prisons, by becoming a member of the Acting Committee, and fulfilling the appointment to the Eastern Penitentiary as a regular Visitor.

It was a beautiful conclusion of a life of actions of

distinguished integrity—integrity in the smallest as well as the largest transactions, and in all the relations of life—that having closed the work appointed, he could “lie down in peace” and sanctified integrity, and trust his immortal as he had trusted his mortal interests to Him “whose mercies are over all His works.”

The long life of our departed co-laborer was closed in the clearness of mental perception, and he relinquished his hold on life with a resignation that showed how much above his own will was his deference to that of his Heavenly Father. The good which Mr. Caley did in his life, is remembered by his co-laborers with grateful sense of the benefit which flowed therefrom to the cause of philanthropy, and with practical suggestion to imitate his beautiful example.

---

## CONCLUSION.

We close the labors of another year with an augmented sense of the importance of the work on which we are engaged. There are indeed some who declare that the work of ameliorating the condition of prisoners by making the punishment of crimes a means of improving the criminal is not merely useless, but one that withdraws the criminal from the full rigor of the law, and then confounds vice and misfortune by equalizing their consequences.

We do not here propose to debate the question started in such an objection, but we may say that should, by

any chance, the unfortunate person sink into the same physical condition as one that is criminal, and it often happens; should the innocent be incarcerated for trial where the guilty is receiving his punishment for crime, that circumstance by no means confounds the case of the two persons, unless, indeed, it should be proved that to await an opportunity to prove innocence is the same thing as to endure the punishment of an exposed and proved crime. We must not confound guilt and innocence, because that has temporarily happened to the latter which is deserved and suffered by the former.

The attempt to alleviate the miseries of public prisons is not always commenced by leading the convict to think himself as good as others, nor to lead him to think that there is no difference between him and the person who, unable to obtain bail, is awaiting the time when he may establish his innocence.

The miseries of prisons are usually relieved, so far as regards the individual convict, by making him feel more miserable—lifting from him the veil by which he has hidden from himself, the character of his crime, and the necessity of punishment. This kind of alleviation is at first a severe aggravation, and it is only when a full sense of the evil nature of his course is made manifest by a comprehension of the perfect relation of his imprisonment and his crime, as effect and cause, that he commences the work of alleviating his own miseries and ameliorating his own condition.

Some seem to think that the work of alleviating the miseries of public prisons can be best performed by abolishing the prisons, and that the amelioration of the

condition of prisoners must be effected by relieving them from the penal action of the laws against vice and crime.

This Society protests against all extremities—against any utopian measures. While it would lessen the suffering of prisoners, it has no purpose to save the guilty from punishment, and while it desires to see the construction of prisons accommodated to the best plans for preventing physical and moral evil, it has no expectation, and in the present and probable future condition of society, it has no desire to dispense with prisons.

The great insurance policy, which is the basis of all society, will provide prisons and almshouses as the moral and physical asylums of the vicious and the unfortunate. The great philanthropic policy, which is the basis of the Prison Society, will lead to constant exertions to alleviate the miseries in both these institutions, to restore the criminal to usefulness in life, and to smooth down the rough declivity of the pauper's course, and give him consolation in death. God help all, of both classes, and may God bless all with directed efforts to make the criminal virtuous and the unfortunate comfortable.

To these great ends we direct our labors; to the assistance of our efforts to attain these ends, we invite the co-operation of those who are willing to spend some time in labors which are not likely to be appreciated in this life, labors of which one scarcely thinks of speaking more directly than does the physician of his recent visitation to the sufferer by infectious and contagious disease.

We invite, also, the co operation of those whose tastes, whose condition, whose associations, whose active engagements will not permit their personal efforts to ameliorate the condition of the prisoner, and we suggest as a way of connecting themselves effectually with the good work, that they contribute of their means, which will aid the Agent of the Society to assist the discharged convict, and thus to alleviate the miseries of public prisons.

Our own choice is made, our own plans are formed and we shall endeavor to promote the great end of our Society by whatever means Providence has placed at our disposal.

All of which is respectfully submitted.

JAMES J. BARCLAY,

*President.*

ATTEST,

JOHN J. LYTLE,

*Secretary.*

## APPENDIX.

---

The Chairman of the Editorial Board of this Society was invited to prepare a paper for the Convention that was held in Cincinnati in September last, to consider the important questions of Social Science involved in the administration and discipline of Public Prisons, and the subject of a periodical for prisoners was suggested. An Essay was written, but it did not reach the Convention. It contains some ideas that may be approved by the "Philadelphia Society for Alleviating the Miseries of Public Prisons," but as it also contains opinions not submitted for judgment of the members, it has been thought not improper to give it publication, but at the same time to give it a place where it may not be considered as necessarily the Society's views. The author is responsible for what he has written, but he gives it as an opinion that may be modified, but which certainly appears to be sustained by what is discernable among convicts. An enlarged experience with prisoners individually, and a close intimacy with their views, thus acquired, have lead to the conclusions which are set forth in the Essay. The writer believes that his conclusion results in presenting the best forms of periodical literature for the convict—but he is not so wedded to that opinion as to think that if the best cannot be supplied, then the second should be refused. Let the best possible means be adopted; but it often happens that, from various circumstances, the first is unattainable. Then let the *second* be employed and a blessing may follow for the *intention*.

## PRISON LITERARY GAZETTE.

The question of a paper or Gazette for Prisons has been considered worthy of a special thesis, as including a proposition for ameliorating the condition of prisoners, and hence entirely consistent

with the views of those whose charities are especially exerted in behalf of the incarcerated, and who looked to this Convention for the enlargement of existing means, by the proposal of new plans of doing good in that direction.

The importance of the end proposed justifies the inquiry whether a paper for prisons should be established, and how it should be conducted. Is the establishment of a *Gazette* for the special use of prisoners practicable, and if practicable, is it desirable? Can the work be accomplished? And if accomplished, will it provide the great object in view?

The proposition should, for the sake of proper consideration, be presented in a definite form.

Can a newspaper specially for the use of prisoners be made of considerable moral use? If so, it ought to be established by any available means, and sustained at any cost. There can be but little doubt of that, and as little that it would be established and maintained.

If these good results cannot be hoped for, then it seems equally plain that the labors and expenditures necessary for such an undertaking, should be transferred to some other branch of the good work of those who stand pledged "to ameliorate the condition of Public Prisons," and "alleviate the miseries of the prisoners."

The wealth of philanthropic zeal with which so many are endowed, great as it is, should be economized. There is a waste of philanthropic efforts that is as injurious to the great and good objects proclaimed, as is the rash expenditure of fiscal men on undertakings which look to future schemes of profit. Plans should be suggested with great prudence, and weighed with mature judgment. That which at first blush promises a general good, may be so conducted as to lead to that amount of individual evil, that shall eventually work out a permanent and extended injury to the whole prison literature; that is the literature of prisons. Literature practised in prison, and emanating thence, has, perhaps, been among the most beneficial that is extant. The "*De Profundis*" of the Royal Poet may not have owed its melancholy pathos to the grated windows of a cell, but David suffered confinement before he wrote his Psalms. That Jeremiah wrote his Lamentations in the dun-

geon, into which he was lowered, is scarcely likely, but it is probable that a sense of his separate and solitary confinement influenced the composition of his most pathetic complaints.

John the Baptist, perhaps, did not write much in his prison, but certainly he maintained moral truth there, and came forth only to suffer for his zeal for public morals.

John the Evangelist wrote his *Apocalypse* on the penal Island of Patmos; and, overlooking the thousands of other lives that are recorded as asserting the truth in their prison cells, we find Grotius occupied in Holland, with his pen in prison; Tasso wrote from the prison in Ferara; and, perhaps, without a prison the world would never have had the delight of Bunyan's *Pilgrim's Progress*. Men seem, like certain herbs, to emit their sweets only as they are trodden on, and the prison and the dungeon are the alembics in which are distilled, and whence flow, the richest and most exquisite emanations of the human mind.

But the literature of the prison, is not the literature *for* the prison. The crushed heart that gives out its richest sweets, may need other medicaments to heal its wounds, and vice and crime demand something, for their disease, different from that which sorrow and oppression have wrung from the innocent sufferer.

A newspaper, such as is read in the principal cities in the Union, is what almost every prisoner craves, and is that which he urgently solicits from his keeper, that which he most earnestly desires his visitors to bring to him. The strong desire of every man who can read, to have "a newspaper," the unfailing indulgence of every one in the luxury of a newspaper, till that luxury becomes a necessity, seems to justify the idea that a paper is a desirable, almost a necessary means of reaching the affections, and then the conscience, of one who is suddenly and temporarily withdrawn from social intercourse, without any diminution of interest in social life; with no diminution, indeed, except that of the liberty of sharing in, and enjoying social intercourse.

The papers which men ordinarily take are those that promulge and sustain some opinions in which they have interest, or some dogma to which they give assent, and they find pleasure in reading arguments and statements that are concurrent with their views, and

tend to give them confidence in their opinions, these in general are more concerned in strengthening than in correcting their belief—more pleased with a writer who supports, than with one who purifies their views. We say not that this is wrong, men can have little enjoyment when they have an unstable political creed, and though all else should be sacrificed to truth, yet with pious attachment to creeds and opinions it is difficult to convince them that any sacrifice is required. Hence even the religious and political press fail of one great result, they strengthen existing opinions much more frequently than they aid in inducing a change. They do not liberalize the mind and prepare it for the truth. They rather strengthen attachment to a supposed truth, or an admitted apothegm.

The press, active as it is, it may be feared, fails of the useful of which it is capable, fails, perhaps by the very activity of which it boasts—for which it is indeed remarkable. But the papers will be sustained because men will take them and pay for them, and those who write about the public press, must discuss that which does and will exist. The question is not “shall there be a press?” That is settled by the press itself, showing that its own existence is a necessity, showing that opposition would not destroy it. The question is, how may the press be made a means of continued, genuine good; and what is the discrimination by which it may be made ministrant to particular advantage? How may it be accommodated to certain circumstances, that are not connected with the ordinary condition of society, so that certain classes may profit most by its powers?

The inquiry now proposed is the advantage of a newspaper for prisoners, as a means of improvement while in prison.

We see that “the public press,” as the newspapers are usually denominated, is not calculated for all purposes, all associations, and all objects. We see that, by the obvious fact that a large number of similar religious denominations, philanthropic, and scientific combinations, are not content with the “general newspaper.” In the case of science it may be said that the columns of a newspaper are so filled with general facts, political arguments, and business statements, that there is not sufficient space for the scientific articles that interest a certain class. That is true in regard to science,

and partially true with almost every other matter that occupies almost exclusively the mind of classes of inquiring men.

So that we may remark that the idea of exclusiveness has such possession of the people that it would almost seem impossible to satisfy any man without a constant ministration to the particular scheme toward which he has a ruling proclivity. A paper that deals with things in general, does not meet with the approving support of such a person. And a "paper" that deals only with what alone occupies his thoughts, is that alone which he thinks worthy of encouragement. A few others unite with him in views and in support of a separate paper, and a sickly addition is made to what is called the press of the country, and the little strength which it has is drawn from the vital support of the general press, and many sickly papers enjoy the sympathy and support of a small community that might otherwise be amused and instructed by a wholesome sheet, that should mingle the news of the day with the essay of the moralist, the politician, the statesman, the merchant, and the man of science, referring the reader who needed additional knowledge to the library, now, alas, too generally neglected for the trashy essays that treat of subjects as if a single day was all that any man had to give to any one subject. We have lately heard a person state that he had "done Europe in six months," and there are people who imagine that they can do the whole circle of science and the higher arts in six months, and reduce the contents of massive tomes to half a dozen newspaper essays. We may thank the man that by labor and devotion simplifies any science, and shows its adaptability to practical purposes—he is a public benefactor—but the simplicity that is to be useful, is obtained rather by amplifying than shortening the process, and while an essay may awaken a good appetite, it does harm if it satisfies that appetite.

But is a "paper" required for the prisons, or will a paper be useful to the prisoners, for if it will be greatly useful, then it is greatly necessary.

We will not now discuss the question whether the ordinary newspaper of the day is calculated to do the good desired and proposed; we think it would not be beneficial; we speak generally, not doubting that there are exceptions, especially when the character, attain-

ment and plans of the prisoner, as well as the character and contents of the paper are considered.

But unfortunately, most unfavorably, the whole of the newspaper press is not what it ought to be, and certainly the mind of the prisoner is not, in all cases, in a condition to derive moral profit from the discussions and statement of facts in the public press. The very truthfulness of the newspaper may be a reason why it should not find its way to a prison cell, when that truthfulness consists in the exactness of details of the multitude of crimes which press for record in the *Gazette*.

It is now some time since the authorities of several of our cities forbade the public sale of certain newspapers that dwell chiefly on the doings of the police and the details of crime which gave employment to the police and piquancy to the papers. Yet these special magazines of crime told little that was not found in the statement of crime and the legal reports of criminal cases that appear in some of the daily papers. The difference is, that the daily issue of the paper generally allowed space for the criminal record and the news and comments of the day, while the hebdominal sheet, that would report all the crimes, had no space for other matters. The disgusting details of vice and licentiousness in the daily papers, were relieved by political discussion and items of ordinary import. In the weekly police paper the whole is one unmitigated mass of offensive detail that blunts delicacy in the young and encourages to indecency and crime.

The daily paper is now generally discountenanced in our prisons, though certainly there are papers which should be regarded as appropriate visitors to the prison cell, but the rule is generally obeyed. If the dailies are thus excluded, then *a fortiori* the weeklies of the class to which we have referred must be prohibited to the prisoner.

Here, then, are two classes of papers, the regular, well-conducted daily and the specially exciting weekly, that are forbidden admittance.

It naturally occurs to almost any one that there is an alternative. There are religious papers of almost every denomination, and however people may differ about the dogmas which they propound and

defend, no one will say that they are not earnest in their denunciations of vice and crime, and pleasing and attractive in their advocacy of propriety and virtue. The religious press, then, is the desirable means of amusing and instructing the prisoners. Its columns are undefiled with the reports of crime, or the more perilous record of the trial of the criminal. Here religious truth may be conveyed to the cell of the convict, and the sermon that edified an attentive congregation on Sunday, may be made a useful lesson the next week to the inmates of the prison. So that not only may the poor have the Gospel preached to them, if they will only attend divine service on Sunday, but the reverend orator will, by the aid of the press, go "to preach unto the spirits in prison."

The religious press generally, as respectable as it is in this country, would seem to be the means of reaching the heart of the convict when he is separated from all other moral instruction. And, with one exception, that means would seem to be acceptable, and therefore worthy of adoption and enforcement.

That exception is worthy of consideration, and we will look at it with a view to securing to this great object "Prison Instruction," a most powerful auxiliary.

The religious papers are religious. That is, they are, as their name generally imports, partizan papers. *The Episcopalian*, *The Presbyterian*, *The Methodist*, *The Catholic Standard*, &c., &c., are distinctive titles; while others contend earnestly for dogmas and rites under some name which is less expressive of the tenets of the writers, and the special end to be produced. Certainly the tone and temper of some of these religious papers are not so expressive of the charity and meekness of Christian requirements as could be desired. And if one may differ from another in the tone and terms of denunciation, it often happens that the difference is only in the character of the instrument, not in the object. And the sharp, clear cut of clerical satire, poisoned with the ointment of great historical research, is used instead of the coarse saw-like tearing of conventional vituperation, made less durable by the ignorance of the character of the facts, and the origin or true application of terms.

These and such matters, while they may please (they will scarcely

instruct) the class of persons that hold opinions thus oppositely defended, must be irritating and offensive to those who have no interest in the discussion, or who may hold the opinions that are offensively discussed.

Then the religious press, as now conducted, can scarcely be considered a likely means of amending the morals of the convict, by securing a valuable and profitable regard for the teachings of that great principle which certainly lies at the foundation of all morals.

The political press, we have shown, is liable to great objection as a means of improving the prisoners, and the portion of the press that makes a specialty of what constitutes much of the evil of the general press, cannot certainly be regarded as supplying corrective means to the prisoner, or furnishing his mind with the kind of pabulum that is suited to his mental and moral wants.

If, then, a newspaper, a periodical, is necessary for the prisoner, and no existing publication can be trusted in its present form, it follows that there must be a paper specially adapted to the wants of prisoners, and that was the proposition to be considered in this Essay.

No one, we think, can fail to desire the establishment and use of means to ameliorate the condition of the prisoner, to encourage and lead inquiries into the cause of his present condition, and the peculiar character of his own mind, and what renders him, more than some others, liable to fall into the snares that lie along the pathway of life; and, pursuing this inquiry, it would be a beautiful addition to existing means of good, to have encouragement to amendment, accompanying the evidence of misdeeds, and the possibility, nay, the probability of these resolutions of amendment, when carried into action, working out a better return than was anticipated even before the error or crime was committed. And the hopes of success would be stronger if the means employed to produce this result were those of modern use, with "modern improvement," and if the great lever for lifting the public mind in masses could be applied to individuals. One likes to see a general harmony in the efforts and instruments of public benefit, and the press that so affects all free institutions, would be hailed with new acclamations if it was seen working where liberty is lost by crime,

and isolation is the vengeance of violated laws. The press, then, is the great and evidently the favorite means of improving the prisoner.

And as we have seen the objections to what is regarded as the general press, and even the religious press, and as a special paper seems to be required, two points suggest themselves for consideration. Can the press, that is, can a paper specially adapted to the wants of a prison be had? In other words, can any man or set of men adapt a periodical to the wants of prisoners and make it so universally acceptable as to be universally read in the cells. If that can be done, then we say let it BE done.

The advantage of such a paper would be almost incalculable. A common channel of desirable information, a common means of reaching the consciences of the tenants of prisons, a common form of expression for acts and punishment.

Now we know that the success of a paper must chiefly depend on the conductor. We know that as many papers succeed with illiterate conductors as are kept alive by educated talents; but then we know that the success of the former is due to the ignorance of their readers, who find their own ideas set forth in their own language, and patronize what seems of their own rank. Even in that case, the success of the ignorant conductor is dependent upon the sympathy of his patrons; he has narrow views and limited attainments, and hence commands the attention of those who are in the same condition.

Sympathy, then, is one great bond between the writer and the reader. And whenever success follows efforts such as those which we now contemplate, it must greatly depend upon the absence of all points that touch wounded pride or disturb established views. Ignorance is not an ingredient of objective success, it is only the ignorant writer himself that profits by the stolidity. He who would hope for success in efforts to improve the ignorant, must have knowledge of the character and extent of that ignorance, and the means by which are to be secured that attention and that confidence by which information is to be imparted and improvement secured. And he must not jeopard his plans of success by arousing suspicions of sinister aims, nor awaken jealousies by offending the

uninvestigated tenets of religion, which the pupil holds for future use, but which he does not pretend that he ever brought out for action. A large portion of the dogmas of sects are held or admitted by a vast number who have little idea of putting them into practice, and still less idea of their bearing on the actions of life. They, perhaps, postpone an inquiry into the correctness of these doctrines till circumstances shall render it necessary to direct or defend some action by these arguments.

More frequently the dogma is held because it belongs to a creed into which the professor is rather born than educated, and he neither seeks for, nor desires, exposition or defence. In these, and in all similar cases, the holder is usually tenacious of his article of faith in proportion to his ignorance of its character and requirements, and he becomes noisy and turbulent in its defense just in proportion to his lack of argument.

Now there are people who think that the convict is a man who is wholly given up to plans of crime, and that he has no idea of action beyond that of putting those plans into execution.

This sort of character has certainly some representatives in the cells of the Penitentiary, but they constitute a very small portion of the whole number.

Others appear to regard convicts as ready to be moulded into moral uses, and to have no regard as to instrument and means.

Certainly there are men and women in prison who are of this passive kind, and who owe to that passiveness the crimes for which they suffer. A different association would have lead to different results. Had they fallen into the hands of good people, those who would have moulded their passive qualities into a sort of negative goodness, they would have been saved from the prison for want of any wilful violation of the law, but they never would have risen into any credit for positive, active virtues.

These kinds of persons do certainly exist in the prison, and they serve, with certain visitors, to give a character to convicts generally. But the great mass of convicts have neither the qualities of irredeemable vice, nor the passiveness of indifferentism. They are generally men with some ideas of means and ends; men of abilities to calculate, and often with the ability to understand that vice

and crime "do not pay." They know what *would* pay, but they do not know where to begin—how to get the first grain of confidence so necessary to any enterprise; where to place the lever with which they feel that upon such a fulcrum they could raise, if not the world itself, at least themselves into the world. They lack patience in the work of reformation—they lack confidence in the kindness of others, and, with some reason, they lack confidence in their own resolutions.

These prisoners have to be dealt with, and one means suggested for consideration is a paper, not a political paper—not a general newspaper—not a religious periodical; but one specially devoted and adapted to the convict.

Nothing could be easier than to plan a newspaper to suit prisoners, and it would not be a difficult task to find conductors and contributors for such a paper; *Provided*, that all prisoners had one common interest and one common vein of morals, founded on one common religious creed.

There can be little difference in the general moral opinions of convicts. Men's views of morals are not very variant, the negative portion of the Decalogue does not admit of much controversy as it regards the theory. What is forbidden there is not professed by those who would stand well with society; but it cannot be denied that respect for those prohibitions is not universally manifested in practice. Certainly the occupants of the prison cell may be referred to generally, as those who have not distinguished themselves by an obedience to the commandments.

Yet go to the cell of the burglar, the thief, the homicide, and he will listen to monitions and profess profound respect for sound morals, and promise obedience to all the moral laws, and, perhaps, in some instances that obedience is yielded in liberty, which is professed in durance.

But are the teachings of the prison paper to be confined to the outward acts of the man? If so, then he may be reached in prison by the prison paper, illustrating the evils of vice and portraying the blessings of virtue.

But the prison paper is to be in the direction of some person, its tone must be expressive of the opinions of an individual, and the

religious views which he presents must partake of the character of the creed. It is true that some may say that "nothing but sound morals shall be enforced in it." We should not look for any defense of immorality. But is the prison paper to have nothing but morality? Is morality based upon itself? Is not religion the foundation of morality? And if morality is to be taught without reference to religion, then it must seem that the structure is to be baseless.

The man who edits the prison paper will make it, more or less certainly, dominantly express the view of his co-religionists. I do not mean to say that he will mark the lighter shades of difference between denominations of similar creeds, but he will almost certainly present the salient points, the great features of his own creed, and dwell on them and commend the usages that spring from the practice of that creed. We know that some will say that papers are conducted for party purposes without any notable reference to the religious creed of their conductors; That is true, but it is true only because politics, and not morals, are the main object of the conductors. The editor who would undertake to enlighten his readers on party subjects, and engage them as true citizens to unite in his views and assist in promoting his objects would scarcely fail of reference to the requirements of the constitution of the country, and to the exposition by great men of the political doctrines of that fundamental law of the land. One would dwell most earnestly on the views expressed by Madison and Hamilton, and another would present the deductions of the less liberal expounders of that instrument. We should have, on one side, the practice of Adams and Munroe, and, on the other side the example of Jefferson and Jackson; and in these various representations each opposing writer would refer to the constitution, but to the constitution "as he understands it," and he would strengthen his teachings by illustrations drawn from the arguments of those who thought as he thinks, upon whose views his own opinions are formed, so that while he is preaching and teaching what he declares, and what undoubtedly he believes to be, the true political dogmas of Republicanism, he is only strengthening the opinions of one class and offending the prejudices of another. So, in enforcing the necessity for moral im-

provement, experience shows that writers and speakers, have a basis for action and argument. All agree that murder, blasphemy and perjury, are bad ; it requires no argument to prove that ; the convict confesses so much, but their business is to induce the murderer, the blasphemer, and the perjured man, to leave his offences and adopt a better course of life. But the virtue whose practice is "the better course of life" must rest upon a better basis than sorrow for detection and punishment, which is too often the whole amount of the convict's repentance. The basis of the new morals must be religion. No one has succeeded much in attempts to amend the life of a criminal who has not made accountability to God a *motive* for the amendment. No criminal has mended his way who has not begun that amendment in that fear of God which is "the beginning of wisdom."

The early religious instruction of the prisoner was evidently little more than unapplied lessons, but they were lessons to be applied, and they remain in his mind as the instrument and means of that religious life which has its exponent in virtuous acts.

Reverence for these lessons, when they have not been applied to regulate action, is called by some "*Superstition*," and that term may be entirely appropriate. The man who acknowledges the existence of God and his accountability to that Supreme Being, who knows that vice is wrong and believes that the practice of the requirements of the religious association of which he is by birth-right or profession a member, will save his soul and hide a multitude of sins, may have respect for the rule and render obedience to the ceremonial laws of the church, when his life is in utter hostility to the doctrine of that church, and his actions directly opposed to all the significancy of its ceremonies. That may be "*Superstition*," and the practice may justly expose the man to ridicule. *But* that which in him is superstition, is rooted in his heart, and those observances which in his circumstances ensure ridicule are fruits of that belief. His life has not been made sinful by any doubt of the creed in which he was reared, and he cherishes an idea that, at some time the fruits of his belief will be found in an amended life. And he acknowledges thus his obligation to religion as he understands it, and he has no other idea of permanent improvement in morals

than by renewing his relations with his church ; and good men in their attempts to improve such a prisoner propose, as one means of reaching him, a periodical that shall be a silent instructor, and press home upon the convict's heart the verbal lessons which the appointed or voluntary teacher shall have communicated there.

Suppose the paper established and in the hands of an earnest, zealous, religious man ; no one can doubt that such a person would enforce the necessity of the strictest morals ; nor could we doubt that in these times and in this country, earnest efforts would be made to persuade to the adoption of Christianity as the ground of these morals.

We have already in noticing the character of the religious papers, pointed out what we consider to be a feature necessary to the paper as a religious vehicle, but injurious to its character as a prison paper, viz. : the hearty thorough advocacy of the distinctive dogmas of the denomination whose organ it is or attempts to be. Now the man who conducts the prison paper is not likely to be one who has no fixed views upon the doctrine of a church, and hence he is unlikely to be without the habit of expressing those views. He may be charitable, that is, tolerant, but if he is sincere he can scarcely avoid offending the denominational susceptibility of those for whom he is writing ; and we feel that the writer of one creed would create a jealousy in the minds of the readers of another creed, where the distinction is marked and radical.

It is true that there are many religious denominations between whom the difference seems to be little else than in forms, and others with whom the points of difference are so few, and so very unimportant to the general creed, that there may be a harmony of action and concurrence of confidence with regard to matter suitable for the prison paper.

But there are those in prison who, while their whole lives seem to have been given up to a neglect, if not a violation of the laws of God, as considered by the church to which their parents were attached, have never forgotten certain peculiarities of the creed of that church, nor forgiven the act which they construed into injury to its professors. They are ready to do battle for a system for which they were never willing to make a sacrifice of a single

pleasure or passion ; and if no chance of battle is offered they maintain a sort of armed neutrality, which renders them unapproachable by those who would incur suspicions by profession of religious interest. It is of no avail to ridicule the idea of religious jealousy among those who are almost professedly violators of the laws of God and the statutes of the commonwealth ; we must take people as we find them, not as we think they ought to be. It is certain that some of the bitterest feuds and most inappeasable quarrels of the cells of our prisons are the result of difference in religious creeds, and it is no less true, that visitors to the prison cells who go with the intention of doing good, carry with them in their admitted deficiency of religious affinities the cause of that entire want of success of which they complain.

So the editor of a prison paper, who should scrupulously exclude therefrom all exposition of creeds, would find that it would be impossible for him to conceal his views of the requirements of those creeds ; or, to avoid exciting suspicion by a labored effort to escape from reference to creeds. Something really positive is necessary to good, and that positive quality cannot fail of evil if it be not in accordance with the preconceived opinion of those to whom it is addressed.

Men may say, "surely the teaching of the New Testament without dogmas must be enough." But we know that to many it is not enough, and even if it were, who shall satisfy the prisoner that what he hears and reads are the teachings of the Scripture ? If a man is utterly creedless, if he has entire indifference as to dogmas, and does not know or care what creed or church he belongs to, then perhaps he may be profitably approached by those who would persuade him to virtue for virtues sake, and induce him to adopt their teachings, at least until other temptations assail.

But it is a fact most worthy the notice of those who would deal with prisoners, that the tenant of the prison cell is not generally creedless, that just in proportion as he has violated moral laws and religious requirements, is he jealous of what he considers a true creed, because, under all circumstances of sin and danger, he has held that creed as a kind of reserve to which he could resort in the last or greatest extremity. It has been to him a sort of sheet-

anchor to be let go at the moment when all other aids fail. (It must be confessed that the sheet-anchor has not always had a cable.)

He will contend bitterly for that creed, fight for it, die for it, do all but practise it. Nothing arouses his susceptibilities more thoroughly than ridicule of what he *believes* he believes, and an immediate favor sorely needed by pressing necessities would be refused, if there accompanied it the least sign of hostility to, or contempt for, the sufferer's creed.

The disinterested missionary who shall approach the cell of the convict with the intention of instructing and improving the unhappy man, will find himself an object of suspicion so strong as to preclude all chance of usefulness, if he betrays hostility to the creed of his client. His appearance and his professions may be at least neutral, and his language soft and gentle, but like the rat in the fable the prisoner will feel, if not profess, suspicion of what seems only meal.

The question then arises, with this state of feeling in the prisoner, is it likely that a paper conducted by one hostile to those feelings can be made useful in the prison to that class?

Is it likely that one not holding the opinions of the prisoner will avoid giving occasion of offence?

It is not a question of right! it is not whether it would not be better for the prisoner to be less jealous of his opinions, or perhaps to be less willing to exchange them. The question is, "how, holding those opinions and being thus tenacious, he may be approached with hopes of improving his moral condition?"

We will suggest what appears to us a means of meeting the wishes of those that would gratify the prisoner with a periodical, and not prevent a beneficial use of that means.

It is generally admitted that the common newspaper, in consequence of the mixed character of its contents, is not the most beneficial means of supplying a great want to prisoners. Excellent as many of the daily and weekly papers now are, a part of what they must publish makes them not the most likely means of doing good to prisoners.

The religious papers necessarily contain matter that would arouse unpleasant feelings with the prisoner, who might think himself compelled to read the whole, while the particular parts and

perhaps the tendency of the whole would be most offensive to his established belief.

It would, it is thought, be difficult to conduct a paper for prisoners exclusively, without giving offense to many by inserting what must be abhorrent to established opinions, or defeat the whole plan of moral usefulness, omitting all of a positive nature, and making indifference take the place of a healthy positive creed; that is, a man with religious principles sufficient to qualify him for the place of editor of such a paper could not, without violating those principles, fail to make a portion of his creed the ground work of the morals he would inculcate, augmenting by that means the chance of improving the morals, and through the morals the physical condition of that part of his readers that sympathize in his religious creed, but proportionately hindering his usefulness with those who have been reared in an opposite creed and still retain, at least, a memory of its provisions.

If, then, the secular press, the existing religious press, and a press specially directed to the condition of the prisoner will not supply a confessed want, and still a prison paper is deemed important, there must be a compromise which shall insure most of the benefits proposed without disturbing the fixed opinions or prejudice of the prisoner, or rather, let it be said, which shall secure the great good of the prisoner by a careful avoidance of whatever would wound his sensibilities by conflicting with established opinions. The good object of a prison paper can be obtained (if at all attainable), by inducing the conductors of the best religious denominational papers to devote a part of each issue to the peculiar wants, habits and qualifications of prisoners. The amount of subscription to be secured by the extra demand for prisoners will ensure for any publisher matter in each, sufficient to meet the special requirements of prisoners, and, all this without the least departure from his plan of publication, and of course, without any interference with the denominational character of his paper. He increases his usefulness by opening a new channel for the truths which he means to propound and defend, and he ensures enlarged returns for his investment and labors, while the real friends of the prisoner who seek his temporal and spiritual welfare feel that they have pro-

vided means for amusement and instruction, and have divested those means of what would have diminished their usefulness to many and excluded them from all favorable action upon others.

The persons who habitually visit prisoners in their cells could take with them papers that suit their church. It may be said by some that "the religious visitor to the cells might not be able conscientiously to distribute papers that were not of his own creed." That may be so; but is the conscientious visitor of prisons to act upon the idea that nobody has a conscience but himself? If the Catholic would shrink from distributing papers that conveyed doctrines different from those which he professes, or if the Protestant refuses to give to the prisoner papers defending dogmas abhorrent to his conscience, surely each one of these tender-conscienced philanthropists might suppose that the well-informed prisoner would feel hurt, or at least would profess to feel hurt, at the presentation of a kind of reading that denounced or ridiculed the creed of his fathers, and disturbed the recollection of faith and piety that embalmed the memory of a beloved mother.

We have already said that it is vain to ridicule the religious creed of a man who has been convicted of crime and is undergoing the punishment awarded for that crime. He may not be altogether imbued with criminal intentions; the act for which he is suffering he may never have committed, or if he is guilty on that charge, he may not have been a frequent or devoted criminal. But, as it has already been remarked, it is often the case that even though guilty of almost every act on the catalogue of vice, he has a proper sense of what were his duties, and has a distinct remembrance of, and strong attachment to, the religious creed which had been taught him in childhood, though violated in youth and manhood.

The object is not to *convict* the convict of having done wrong; his situation is likely to prove that—it is to make him understand that it is better to do right, to make him more fully comprehend the evils of continuance in crime and to induce him, by a new life of virtue and an increase of the fear of the punishment as well as the consequences of crime, to seek to amend his ways. Nor is there anything inconsistent with the motives of goodness in addressing the fears of the convict, and through the fear of further

punishment to try to induce him to practise virtue. The great Apostle, who became all things to all men, set forth the *terrors* of the Lord, and thus *persuaded* men.

Treat with the prisoner, then, as if he had foundation for treaties ; treat him as if he were worth saving ; treat him gently with regard to his past offenses ; treat him cautiously, prudently, with regard to his established opinions ; treat his weakness with gentle forbearance ; treat his prejudices with consideration ; treat even his superstitions as if they were founded on some truth.

He will listen to persuasions thus introduced. Do not place between yourself and the object of your solicitude the barrier of ridicule or denunciation. Do not startle him with any attack upon the creed to which he professes to feel himself attached. If he is worth saving, spite of his prejudices or his own superstitions, he is worth saving at the cost of some prejudice and a little fixed opinion on your own part. "He is," you say, "on the very brink of destruction, tottering to his ruin." Then do not startle him, do not make him fall ; but lure him back by gentle concessions.

When Leucippe lifted up her eyes, she saw her darling child sporting on the brink of a rock that, at a perilous height hung over the sea. She felt the danger. She knew that to call the darling by name would insure his destruction. She forgot all. She forgot her maternal dignity, wounded in the disobedience of her child. She sought no re-establishment of power. She wished only the salvation of her infant. And so, kneeling at a distance, she bared her bosom, and the little one crept back to her and nestled near her heart.

JOSEPH R. CHANDLER.















