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ART. I.—*The English Language*.*

LINGUISTICS is gradually acquiring the consistency of a science. If not so definite as mathematics and other pure sciences, it has yet made good its claim to be regarded as a science, both by the character of its methods and the wide generalizations which it has reached. Languages have long, almost always indeed, been a subject of study. But one may be an accomplished linguist, reading and speaking many tongues, without being an adept in the science of language. This science, in its more recent and exact form, differs perceptibly even from philology. The material, or subject matter of the science, is not one language, or any one class of languages, ancient or modern, living or dead, but language itself, in its entirety. Its methods are to observe, arrange, and classify all the forms of speech that are, or ever have been, in use, and from them to deduce the necessary laws of speech for a race constituted as the human race is. It aims to show how language originated, that is, to show why we speak at all, and why we speak as we do, to show what is the inner life of language,

* *Language and the Study of Language*. By William Dwight Whitney, Professor of Sanskrit in Yale College. Charles Scribner & Co. New York. 8vo.

and beautiful in proportion to its delicacy. How logically the same, for instance, and yet how different to the loving heart, are the words "maternal" and "motherly." It was his skill in availing himself of this peculiarity of the language, that among other things enabled our own Washington Irving to express with such marvellous exactness the endlessly varying shades of human thought and feeling—that enabled him to pass from the grave to the gay, from the didactic to the playful, from the humorous to the sublime, with an ease that seems only equalled by the movements of the mind itself.

Far be it from us then to join the ranks of those who would dismiss with a rude rebuff these Latin-English intruders. They are now here. They form a large and valuable element of our language. They are a part of our national wealth, and they should be cherished and protected accordingly. All we would ask, is to protest against the unnecessary introduction of more, and to insist upon making the native element of the language a subject of more distinct attention than it has hitherto received in our schemes of education.

ART. II.—*Report on the Prisons and Reformatories of the United States and Canada*, made to the Legislature of New York, January, 1867. By E. C. WINES, D. D., LL.D., and THEODORE W. DWIGHT, LL.D., Commissioners of the Prison Association of New York.

THE administration of penal justice is a department in social science, attractive to the jurist, the statesman, the philanthropist, and the Christian. The science of punishment opens a field as broad as the domains of virtue and vice, for it affects the whole human race. It affects the right of property, the sacredness of human life, public tranquillity and public morals. The supreme aim of public punishment being the prevention of crime, it is apparent that the well-being of society—the peace and order of states and nations—indeed the moral and political character of the world, are intimately connected with the sys-

tem upon which it is administered. And as this object can only be accomplished by measures which are both penal and reformatory, it will be conceded that the philosophy which investigates the principles upon which coercion and reformation should be wisely blended, is a study worthy of the careful attention of law-makers, educators, and all right-minded people.

Anciently punishment was of an exemplary, if not vindictive character, inflicted with a view of deterring and repressing the repetition of offences. The convict was placed under the ban of society—treated as an outcast, as if forsaken of God and man—not only confined in prison, but tortured there, by having superadded to his banishment from society, the deprivation of wholesome air, light, and food, and a denial of human sympathy, of kind words, of instruction secular and divine, of the offer of salvation—of everything which perchance might excite within him a godly sorrow and a purpose to reform. The sentence of the law excluding him from society, dreadful and crushing to his manhood as it might be, was made doubly cruel and maddening by the enforcement of a code of arbitrary and barbarous prison rules, calculated to drive him to despair and make him curse the day of his birth.

Why is it that in all ages past there has been something connected with prisons revolting to the moral sense of enlightened Christians? Why has the sighing of the prisoner gained the sympathy of good people, and the expression of that sympathy become, in some measure, a test of Christian discipleship? "*I was in prison, and ye came unto me.*" "*Sick, and in prison, and ye visited me not.*" The solution is not to be found in a supposed mawkish philanthropy which would screen the perpetrator of crime from deserved punishment; for the most distinguished philanthropists who have taken their lives in their hand, and visited the foulest prison-dens that ever disgraced humanity, and devoted their energies in effecting marvellous reformations in prison systems, have been the staunchest defenders of legal punishment, and the most reliable advocates of a judicious penal code. The execution of the murderer, who has shed the blood of his fellow-man, and thereby incurred the penalty of that high universal law which

demands blood for blood that the land may not be defiled, dreadful as it is, does not distress the friends of prison reform with a sense of outraged justice. On the contrary, those persons who rank highest for their Christian culture, with a sense of greater security to the peace of society, and with relieved anxiety when justice is executed, unite in a loud Amen to the tragic vindication of the law. Apt illustrations of the truth of this statement will occur to the reader in any community. We can refer to the case of Bridget Durgan, recently executed in New Jersey for the murder of Mrs. Dr. Coryell, in which there was positive demonstration by large numbers of her own sex, of real satisfaction in the enforcement of the law. And so the conviction and execution of Charles Lewis for the brutal murder of James Rowand, in Princeton, a few years ago, met with the universal approbation of the kindest and most benevolent people in that community. His imprisonment in the notorious Mercer county jail excited more sympathy for him while in heavy irons, in a loathsome and insecure cell, than his proud expiation of his crime on the gallows.

There is some defect in prison systems, some want of just discrimination, it may be, in the adjustment of the punishment to the crime, some cruel enforcement of discipline, some cold, inhuman neglect of the inmates, and doubtless sometimes there are instances of the confinement of the innocent, all which lead us to associate in our minds, injustice and inhumanity with all prisons. They all receive the instinctive condemnation of kind-hearted people; whereas they ought to be of such a character as to assure the public mind that they are just the right places for those who are within them. We are more accustomed to hear of the evil than of the good in such institutions—of the injustice than of the justice associated with them. Our minds are early impressed with the story of unjust imprisonments, as those of the young man Joseph in the prison of Pharaoh in Egypt; and of the cruel imprisonment of the prophet Jeremiah, who was thrust into a deep, dark, miry dungeon in the court of the prison of king Zedekiah, in which he would have died had not a kind-hearted negro man in the king's house obtained from the king a commission to take thirty men and draw him out, with cords and old rags let down to him to protect him

from injury. Then we read of the apostle Peter chained in prison between two soldiers, until God delivered him; and of a great company of apostles and John Bunyans, who through many centuries suffered imprisonment for religion and liberty. Then we read the harrowing details of John Howard, the prince of philanthropists, who visited the jails and prisons of all Europe, and exposed their horrors; and later, those of Mrs. Fry and Sir Fowell Buxton; all these followed by the affecting reports of various Prison Reform Associations in Europe and in the United States, which have brought home to the people a knowledge of the true character and history of prisons in general, showing that notwithstanding the modern reforms introduced into them, which have been like transformations from darkness to light, there is to-day a call for a new and improved system for general adoption.

Within the last half century the noble work of prison reform has been making steady progress, and accomplished immeasurable good. We cannot estimate too highly the important services rendered in the good cause by the sisterhood of Prison Discipline Societies. These have been sustained by the best men and women of the times, and their humane and benevolent work sparkles like a gem in modern civilization. We would not make invidious comparisons, but the London Prison Discipline Society, the Royal Society of Paris, the Netherlands Society for the Improvement of Prisons, and others in Prussia and Russia, having royal sanction, were prominent in Europe. While in the United States the Philadelphia Prison Society, and the Boston Prison Discipline Society were the earliest and most efficient organizations; but these were soon followed by similar ones in the several states. The Boston Society, which originated in 1825, has within the last three or four years been succeeded by a state institution called a "Board of Charities." An association recently organized under the name of the American Association for the Promotion of Social Science, having for its object among other things, "the prevention and repression of crime, and the reformation of criminals," promises to be a useful co-labourer in the field. The New York Prison Association, under whose auspices the Special Report to the New York Legislature, above mentioned, was made, was incor-

porated in 1846, with the object,—1. Of ameliorating the condition of prisoners. 2. Improvement of prison discipline. 3. The support and encouragement of reformed convicts after their discharge. Its membership embraces some of the most influential and worthy men of New York. This Association, in view of preparing a scheme for an improved prison system for that state, appointed a large and learned committee to prepare one, and commissioned the Rev. Dr. Wines, their Corresponding Secretary, and Professor Dwight of Columbia College Law School, Chairman of their Executive Committee, to visit the prisons and jails of all the states and of Canada, with a view of learning their present state and the reforms needed. These commissioners were admirably qualified for such a work—being men of extensive and accurate learning, of large humanity and experience in human affairs, and enthusiastic in prosecuting the work entrusted to them. Their visits extended to but eighteen of the states, and to Canada,—the war having prevented their visit to the Southern States. In addition to their personal observations, they propounded a series of interrogatories in writing, to certain officers of the several states, on the several branches of their commission, the replies to which, with some sixty volumes of reports, laws, and documents relating to the subject before them, enabled them to present an elaborate report of 547 pages, embodying material facts, and containing a highly interesting and philosophical discussion of the principles involved in the subject matter. In this valuable contribution of experience, observation, and philosophical discussion, these distinguished gentlemen have placed the whole civilized world under renewed obligations to them and to their association. This report, more elaborate than any previous one, must result in pushing the prison standard a little higher, in order that it may keep abreast with advancing civilization.

The Modern Reformatory System of Prison Discipline recognizes the spirit of a true Christianity as the most potent element of reform. It is based upon scriptural doctrine. Moses regarded the design of punishment to be the protection of society, and the vindication of law and justice—inflicted to amend the transgressor, and to deter others, that they “may hear and fear, and commit no more any such evil among you.”

It seeks improvement in the construction and furniture of prison buildings, with a view of promoting the security, the health, the order, and the cleanliness of the inmates; the abolishment of needless rules in prison government; the disuse of punishments and practices which unnecessarily subject the convicts to a sense of degradation; religious services with Sunday-school and secular instruction; pastoral labour by chaplains; prison libraries; the Bible and religious papers; rewards to influence hope; regular labour, and a knowledge of trades; kind and humane treatment, and encouragement and aid to the reformed when discharged from prison. This is seeking no more than what Christianity is required to do for prisoners. Nor is it wresting "the sword" which was divinely appointed as "a terror to evil doers." It is only adopting the principle upon which God's moral government is administered; "*reformation through kindness.*" Punishment inflicted for this end will enable a transgressor to say with the prophet, "Wherefore doth a living man complain,—a man for the punishment of his sins? Let us search and try our ways, and turn again to the Lord."

Some persons regard all convicts in prison as beyond hope; as given up to a reprobate mind, and intending to persist in a career of crime, despite all the pains and penalties of the law, and the moral influence of friends. They adopt the false idea, too much encouraged we admit, by the debasing and demoralizing character of too many of our state prisons, that a man's infamy is sealed for ever when he puts on the prison uniform; that he can never recover from it. Now it cannot be denied that there are incorrigible and utterly abandoned men in prison, as there are out of it; men who scoff at all reformatory efforts, and curse those who seek to do them good. But even such hardened criminals, while left in the stern clutches of the law, are not to be left without offers of mercy. If our blessed Saviour admitted the dying thief into Paradise, should not prison reform societies and the legal keepers of prisons, permit all classes of felons to come into the atmosphere of the subduing and reforming agencies of Christianity? The statistical tables show that about one-half of the thousands of convicts who are crowding our prisons, are under thirty years of age, a

period hardly beyond the "wild oats" season. And then as to the circumstances of their offences. Under the influence of strong drink, the temptations of pride and poverty, ignorance of the criminal nature of their offences, without parental counsel and restraint, or other mitigating circumstances, these youthful offenders have committed assaults, or obtained money or goods by false pretences, or taken property that did not belong to them, or given undue liberty to their youthful passions—the most of them for the first and only time in their lives. Some of them have respectable relatives, and were accustomed to associate with respectable church-going people. Their imprisonment overwhelms them with shame. Their hearts are broken. They mourn bitterly over their folly and their transgression, and seek some friendly sympathizing one to receive their pledge to amend their lives, and be restored to the confidence of society. Shall such be left in the solitary and silent cell without hearing the voice of sympathy, and without receiving the counsels and encouragement of religion? be left to themselves to work out a term of years, undiminished in any degree by that good conduct which distinguishes them from the unrelenting and unreformed veterans in crime in adjoining cells? It is the object of this new system to win the prisoner back to the path of virtue. It is not a hopeless work. The late Dr. Benjamin Rush of Philadelphia, before the Society for Promoting Political Inquiries, convened at the house of Benjamin Franklin in 1787, in speaking of the effects of public punishment, said, "I have no more doubt of every crime having its cure in moral and physical influence, than I have of the efficacy of the Peruvian bark in curing the intermittent fever. The only difficulty is, to find out the proper remedy or remedies for particular vices." And again, in the same essay, he remarked, "The virtues are all parts of a circle. Whatever is humane, is wise—whatever is wise, is just—and whatever is wise, just, and humane, will be found to be the true interest of states, whether criminals or foreign enemies are the objects of their legislation."

The old prison system in use fifty years ago, which was chargeable with being a school of vice, because of the promiscuous intercourse of the prisoners without respect to age, sex,

or criminality, which it tolerated, gave way under the combined assaults of the Prison Reform Associations, and an aroused public sentiment, the fruit thereof. And like most reforms, the advance went from one extreme to another. Because there was corruption in promiscuous and unregulated intercourse of the prisoners, the theory was adopted that there should be no intercourse whatever. Solitary confinement at hard labour—prisoners never to be allowed to speak or be spoken to; silence, eternal silence, as the only security against moral contamination and mischief; these were the cardinal principles of the new system proposed and established at that day. Doubtless it was a reform, a great reform over the old system. But what a multitude, numbered by thousands and tens of thousands, of human hearts have been for ever crushed and driven, in the unnatural silence of perpetual solitude, to madness and despair!

At first there was a disposition to adopt the separate silent system, known as the Pennsylvania system, because the best, and now the only representative institution of this order was located in Philadelphia. The new prison at Trenton, in New Jersey, which superseded the old one at Lambertton, was, after the Pennsylvania order, placed on a separate silent plan. And so was the Rhode Island State Prison, and others. In 1840 the Inspectors of the New Jersey State Prison began to doubt the reformatory power of this system. Its physician, Dr. James B. Coleman, a gentleman of ability and character, still residing in Trenton, assailed the solitary plan as injurious to health of body and mind. He persisted in this opinion for several years, writing with much force against the system, as tending to produce insanity rather than reformation, and reporting many and increasing cases in the prison, arguing that it stood in the way of personal reform and economical labour. In 1859, the legislature, perhaps more for economical reasons, as more rooms were needed, than for its effect on the health and mind of the prisoners, abandoned that system, and adopted the congregatc one. The Rhode Island prison shared the same fate. The warden, Dr. Cleaveland, condemned the solitary plan as a "slow corroding process, carrying its subjects to the derangement or destruction both of body and mind." And at the

present time, the separate system in its strictness exists nowhere in the United States, except in the State Prison in Philadelphia.

The other system, which is generally known as the New York system, from the fact that its original and best representative institution of this order is at Auburn, in that state, is the congregate system. It adopts the separate system at night, and though by day it allows the prisoners to work together, they are required to be silent. This plan requires more rules for the maintenance of order, but admits more of the reformatory agencies. Of course each of these systems has its advocates, and each has some advantages over the other. As now conducted, under the present administration of the criminal law in the states, we think the New York system is altogether preferable, though it needs modification, chiefly however in its administration. The commissioners, Dr. Wines and Professor Dwight, whose report is under review, do not utterly condemn separate imprisonment as worthless, but, as we think, with much judgment and nice discrimination, say that "the utility of the separate system lies, as we conceive, not in employing it as a complete system in itself, but as the initial part of a system, which beginning in a species of confinement intensely penal in its character, ends in a form of restriction so slightly penal that it is but one remove from entire freedom."

Our readers will be pleased to hear further how these gentlemen analyze these two systems, and we quote again :

"The separate and silent systems have, notwithstanding their diversity, a common basis. Isolation and labour lie at the foundation. . . In one the isolation is effected by an absolute bodily separation by day as well as by night, and the labour is performed in the cell of each individual convict. In the other, the labour is performed in common workshops, and the isolation at night is secured by the confinement of the prisoners in separate cells, but during the day is of a moral species, being effected by the enforcement, so far as such a thing is possible, of an absolute silence. The bodies of the prisoners are together, but their souls are apart, and while there is a masterly society, there is a mental solitude. Such is the theory upon which the respective systems are founded, but

in neither do the facts ever fully correspond to the ideal. . . . Sociability is one of the strongest of human instincts, and the social principles and relations are the great springs of improvement. It is by these that the heart is kindled and warmth and energy imparted to the character. Man droops and pines in solitude, whether that solitude be created by a physical or moral separation—by walls of granite or a wall of absolute and eternal silence. No sound excites him like the voice of his fellow-man. This imparts strength to dare, to do, and to suffer: and these three words express the sum of human duty.”

The Commissioners declare themselves not satisfied with the system of New York prisons, as it now exists, but say, that if it is to be retained, it should be reformed, and they suggest: a complete separation of the government of the prisons from party politics; permanence in the executive administration by permanent tenure of office; a higher grade of qualifications in the officers; authority of wardens to appoint and remove the police officers of the prisons; total abolishment of the contract system; making the labour of convicts not only to support the prisons, but to use it so as to aid in restoring the prisoners to society, with a knowledge of some business which will ensure a livelihood; greater breadth and efficiency given to both secular and religious instruction; introduction of a system of rewards as encouragement to good conduct and industry, so that the principle of hope shall act with greater vigour than that of fear; and making the reformation the real, as it is admitted to be, the proper object of the discipline. But they prefer to see it replaced with a better one, and would adopt the Irish system as the best model known, it having stood the test of experience, in yielding the most abundant and best fruits. In defining this system they say:

“It is, in one word, an adult reformatory, where the object is to teach and train the prisoner in such a manner that on his discharge he may be able to resist temptation, and inclined to lead an upright, worthy life. Reformation, in other words, is made the actual as well as the declared object. This is done by placing the prisoner’s fate, as far as possible, in his own hands, by enabling him through industry and good conduct to raise himself, step by step, to a position of less restraint; while

idleness and bad conduct, on the other hand, keep him in a state of coercion and restraint. There are four distinct stages in the prisoner's progress under this system—the first, intensely penal; the second, less so; the third, but slightly penal; and the fourth, losing the penal aspect entirely, except being subject to police supervision.”

Here, it is said, the advocates of the separate and congregate systems of imprisonment may meet on common ground. It is a system, based upon the principles of this Irish system, that these Commissioners recommend, to be put in force cautiously and gradually, and to be developed as experience and public sentiment would sanction.

But it is said with great force, that the state has not done its whole duty when it has punished the prisoner, nor when it has reformed him; that unless after his discharge, he is supplied with work or means of support, he will relapse into the clutches of his old associates; and that this provision for him should be made by the state, and not be left, as now, in some cases, to be made by voluntary Reform Associations. There is no good reason why this provision should not be engrafted on the prison system of every state. It is done in Ireland, where there is a legal agent to look after such cases, and where there are two refuges, one Roman Catholic and one Protestant, to receive such discharged prisoners, when first discharged. In France this special work is done by the Association of St. Vincent de Paul, and is cherished as its noblest field of labour. In Bavaria there is an extensive national organization for this purpose, and the governor gives six weeks notice of the discharge of the prisoner, with a full account of his character. In the United States, Massachusetts, which seems always to be in the advance, is the only state, so far as we can learn, which has made provision by law for such assistance, which is rendered through a state agent, and two voluntary female refuges.

To Massachusetts is accorded the most complete system of prisons and reformatories, of all the states visited. She has one state prison, at Charlestown, it is called the banner prison, a jail in each county for temporary detention, a house of correction in each county, four houses of industry, three state

reform schools, six female refuges, a state agency for aiding discharged male prisoners, truant schools, and guard-houses or lock-ups. Other states are following closely after her, and are fast multiplying their reformatories.

As preventive of crime, two institutions are demanded for children: 1st. *Public nurseries* for children from two to five years of age, of pauper parents, that they may be gathered from the street, where a majority of criminals originally come from. 2d. *Industrial schools* for truant, ragged children, whose parents abandon them through vice or indifference. A few such have been established. And we understand the Commissioners in their report to advocate *making the education of all children compulsory*—holding that it is better to force education upon the people, than to force them into prisons to expiate crimes occasioned by neglect or ignorance. Next in the ascending step is the *Juvenile Reformatory*, which is indispensable, and is being introduced into the several states. In connection with this, it is asked that the principle of holding the parent responsible for the conduct and maintenance of his child till he arrives at years of discretion, and that the expense of maintaining the child when at the reformatory, be paid by the parent, should be introduced and adopted here, as it is in Ireland, where it is said to work well. There it has been adopted for about two years; and within that time \$1500 have been recovered from parents under the provisions of the law. The limitation of this principle to the age prior to the age of discretion, removes what otherwise would be good ground of objection to it. But how such a law can be enforced by a pecuniary exaction, in cases where the parent is irresponsible, we do not perceive. And it is generally where the parents are very poor, that such cases arise.

County jails, which come next in order, are the most defective of all our penal institutions. They are, as at present maintained in almost every state, schools of vice, of the worst form. They retain the objectionable features of the old state prison system. There is neither separation nor silence. Youth and aged persons of both sexes, without classification, are thrown more or less together, without employment at labour, and without reforming agencies. The cells are often insecure

unhealthy, dark, and dirty. Some persons are detained in them to await trial; some are sentenced by justices for small offences; some are sentenced by the higher courts for felonies, and some are detained as witnesses. There is but little discrimination in the mode of treating them. Their penal character should be taken from them, and they should be made places for detention only. This will involve the necessity of *prisons intermediate* between county jails and prisons proper, called in Canada *central prisons*, and in Massachusetts *houses of correction*, and which the Commissioners would call district prisons. They should be eminently reformatory. Jails cannot be so. Prisons for women should always be separate from those for men.

Touching the general administration of prisons, there is a felt want of a Bureau, or a central authority in each state, having general powers of control and direction over all the departments of the preventive, reformatory, and punitive institutions, "under which the nursery of the infant, the school of the juvenile, the jail of the adult, the local penitentiary, and the state prison, can be moulded into one harmonious and effective system," the whole animated by the same spirit, and aiming at the same objects.

This report contains an important chapter on *Prison Premises and Buildings*. We are pleased to see in it an expression of opposition to a disposition, increasing of late years, to lavish expenditure in material and ornamentation in erecting prisons, claiming that they should be decent, substantial, and tasteful, but holding that a stately and imposing exterior tends to give dignity to crime. A general defect, universal in all prisons, is that "the cells are too small for sanitary or moral purposes," giving no additional security, being at war with cleanliness, and proving a perpetual hindrance to the mental, moral, and physical welfare of the inmates. So, too, the windows, with one or two exceptions, are too small. They should be large and secured by iron bars. The deficiency of sun-light contributes to the ill-health of prisoners, just as plants are injured when kept in dark cellars. They also obstruct the entrance of pure air. In this respect, as in others, the Massachusetts prison stands without a peer on this continent.

Another excellent suggestion is, that if prisons were of less dimensions, they would facilitate the classification of convicts in prisons, which is very desirable. There should be "separate prisons for females—separate prisons for the young—separate prisons for different occupations, and separate prisons for the worst class of offenders."

Undoubtedly much of the success of attempted reform will depend on prison officers, who are trusted to carry out prescribed regulations. It is truly said, "Few men have greater temptations to fraud. Few men are more open to the assaults of bribery. Few men have greater trials of temper. Few become abusive and injurious with greater impunity." With few exceptions the higher officers who have the management of our prisons, are sadly disqualified for the varied and singularly difficult duties of their position. Unless the chief executive officer be a man of strict sobriety, of mild temper, gentle manners, benevolent feelings, energy, enthusiasm for his work, high moral principle, knowledge of human nature in its various aspects, sterling honesty, and be duly impressed with religious principles, he will not be able to discharge his solemn official obligations in a manner that will commend him to the prisoners whose reformation is, in great measure, in his hands, or to the benevolent reformers of prisons who watch without. While the tenure of the office is short, and as fickle as politics, and the office is a reward for political services, and the salary is too small to support a man of high qualifications, these important institutions will be shamefully neglected and mismanaged.

We hail the progress of reform in the rules of *Discipline* with unfeigned joy. The chapter of the report on this subject is one of thrilling interest, and unanswerable argument. Let it be made known, to the honour of our blessed Christian religion, which is a religion of love, that in the discipline of prisons, "the law of force is giving way to the law of love." The best prison officers in this country, those who have been most successful, and the longest time in office, and who are imbued with a noble Christian spirit, and whose opinions are most worthy of regard, agree that the humane system is the most effective in securing good discipline. We can only extract from the report a few brief sentences from the testimony.

Mr. Haynes of Massachusetts says, "Kindness is the principal means of discipline employed here. It is believed that this renders the prisoners more confiding and obedient, and that it is better adapted than a more strictly coercive discipline, to promote their reformation. I have never known an instance where I thought that a man would be made better by the infliction of blows, nor have I ever yet, as I think, met the person, however low and degraded, however hardened and steeped in crime, who had not a spot in his heart that could be touched by kindness."

Mr. Cordier of Wisconsin says, "Every convict in this prison is treated like a human being, and not as an outcast from society. . . . We find that kindness thus employed always has the most salutary effect."

Mr. Miller, late warden of the Missouri State Penitentiary, says, "Kindness is the great central idea in a true theory of prison discipline; kindness in tone, look, and utterance, as opposed to a coarse, rude, and stern manner of treatment. Kindness is a means of discipline which I have always found effective. . . . In many instances when different kinds of punishment had failed to make any lasting impression, I have known kindness to work a thorough revolution in the man. Indeed its effect is never lost."

We remember an anecdote related of Mr. Pillsbury, formerly warden in the State Prison of Connecticut, and a giant prisoner, who had betrayed the kindness and confidence of his keeper, who had done everything he could to make him happy. After reasoning kindly with him, he said, when about to lock him in a cell, "And yet I cannot bear to lock you up. If I had the least sign that you cared for me"—The man burst into tears. "Sir," said he, "I have been a very devil these seventeen years; but you treat me like a man." "Come, let us go back," said the warden. The convict had free range of the prison as before: and from this hour he began to open his heart to the warden, and cheerfully fulfilled his whole term of imprisonment.

The policy of giving rewards in order to excite hope in the prisoner—an element of great power in the Irish system, and one used with great success by Captain Mochonochie on Norfolk

Island, but very rarely adopted in American prisons, will soon be incorporated, we doubt not, into all our prison systems. The principle is a sound one in any system of reform. The commutation laws, allowing prisoners to earn by industry, obedience, and good conduct, a certain diminution of their terms of sentence, already adopted in the states of Connecticut, Illinois, Indiana, Maine, Massachusetts, Michigan, New York, Ohio, and Wisconsin, constitute a very good foundation for a more general system of rewards. The effect of such a law in the Massachusetts prison has been good, and in the opinion of Mr. Haynes, "the most important step taken in this country in the last forty years." The warden of the Wisconsin prison regards the law of commutation in that state as "a more powerful agency to promote good conduct among convicts than any thing else that could have been devised for that end." The testimony from the warden of Ohio is: "No law ever passed by the legislature has been so marked in its influence for good, since Ohio has been a state, as that which enables prisoners to earn the remission of part of their sentence by good conduct." Similar testimony is borne from the states of Connecticut and Michigan. In Illinois and Wisconsin the law allows every convict who passes the whole time of his sentence, without a violation of the rules recorded against him, to receive a certificate to that effect, for which the governor will give him a certificate restoring him to citizenship, which had been forfeited by his conviction.

The report suggests, respecting the punishment employed in enforcing the rules of the prison, some changes. Its language is: "We say, then, let the lash go, with the shower bath, the crucifix, the buck, and all other punishments that are either cruel or degrading, into utter and perpetual disuse as an instrument of discipline in our prisons." The prison at Charlestown, the best disciplined institution on the American continent, where the convicts do as much work as any equal number of men outside, is cited as having but "one punishment, and that seldom resorted to—simple confinement in a dark cell on a ration of bread and water." Maine, Massachusetts, New Hampshire, Ohio, and Rhode Island, employ no other punishment than solitary confinement in a dark cell.

In all the state prisons of the United States, and of Canada, except four, absolute and unbroken silence is the rule; in some more rigorously enforced than in others. The theory of the congregate system is a rigid prohibition of intercommunication between prisoners—a total separation of prisoners by night, and vigilance of the officers by day. We concur with the opinion expressed in the report, that “unbroken silence should be exacted of convicts when shut up in their cells, but more than doubt the wisdom or utility of such exaction at all other times. To a limited extent, and under judicious restrictions, conversation should be permitted among prisoners in certain stages of their imprisonment.” We feel prepared to demand more, rather than less, than this.

Some of the states have made provision by law for the *secular instruction* of prisoners. New York was the first to make such provision for all her prisons. Similar provision exists in other states. As a large proportion of the convicts are ignorant and unable to read, it is important that they should be taught; and time should be allowed to them to read while alone at night in their cells. The English practice of giving to each cell a gas-burner for this purpose, is a humane one. To be alone in a dark cell for fifteen hours in a day, is enough to make a cheerful man melancholy. Prison libraries, now quite generally provided for prisons, are regarded with much favour by convicts who can read. There are several thousand volumes in some of them. Kentucky at an early day took the first step in the direction of this measure.

No part of this report has afforded us more pleasure, nor inspired us with more hope for the improvement of prison discipline, than the chapter which exhibits the progress and power of the *moral and religious agencies*, as they are employed in many of our prisons and reformatories, and are beginning to be incorporated by law into the prison system of several of the states. Prior to the time of John Howard, penal establishments contained, it is said, no chaplains or chapels. Latimer is reported to have denounced the heathenism of the London prisons, in the presence of the King; and in the reign of Elizabeth, ministers imprisoned for nonconformity took the occasion to preach to their fellow-prisoners. Whitefield and

the Wesleys "prayed and preached in all the jails, bridewells, and bedlams," until they were shut out of them. In 1773, Parliament authorized the sessions to appoint chaplains to their jails at a salary of £50 a year. This was regarded as the first governmental recognition that prisoners were within the pale of salvation; and at the present day all the English prisons are supplied with chaplains. It is within the last forty years that these have been employed in some of our American prisons; at first they were paid by voluntary associations. Auburn claims to have been the first to introduce a resident chaplain and regular religious services, and a Sabbath-school among the convicts. The theological students of that place aided the chaplain in sustaining the Sabbath-school. Sing Sing followed. The theological students of the Princeton Seminary in 1827 organized a Prison Discipline Society, and by a committee visited the old state prison at Lambertton, New Jersey, every Sabbath, and conducted religious exercises in the prison and visited the prisoners in their cells, and distributed tracts among them. This was under the old system. The legislature approved it, and directed a large room to be prepared for such religious use. By 1828, several of the states had made provision by law to pay chaplains. Since then there has been great progress made in the use of such means. The states of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Michigan, Ohio, Indiana, and Wisconsin, have resident chaplains, while several other states have preaching in their prisons on the Sabbath by resident pastors. Sabbath-schools are maintained in the prisons of Connecticut, northern Indiana, Maryland, Massachusetts, New Hampshire, Michigan, Ohio, Rhode Island, and New York; and in Vermont a Bible-class is held on a week day. In the female prisons of Indiana and at Sing Sing, N. Y., the whole body of convicts attend the school together. It is estimated that from 1500 to 2000 convicts in our various state penitentiaries are receiving from two hundred teachers, instruction in Sabbath-schools. The testimony is unanimous and positive, that the prisoners are deeply interested in them; and that a growing knowledge and interest in the Scriptures is the result. Affecting accounts are given of some prison prayer

meetings, and revivals of religion in them. A copy of the Bible is now in most of the prisons supplied to every convict who will receive it, and in some cases, as in New Jersey, the law requires this to be done. The penitentiary at Kingston in Canada has a full supply of religious agencies; chaplains, Bibles, prayers, preaching, and Sabbath-schools.

There can be no doubt of the effect that the self-denying labours of Mrs. Elizabeth Fry, of England, who from 1813 to 1844 devoted a large portion of her time and means, though she had ten children of her own, to visiting and reforming the prisons of England and those of other nations in Europe, exerted in our country. Especially interested in the condition of convicts of her own sex, she did not confine her labours to them, but she became Howard's successor, whose angel voice announced deliverance to prisoners from many cruel and inhuman burdens. She exposed their wrongs, and touched the conscience of Christian men and women, and enlisted them in her noble work of reform. Her influence was felt here, and her example inspired a kindred zeal among our American philanthropists. A reverend poet, who appreciated her services, thus alluded to her :

“Once I beheld a wife, a mother go
 To gloomy scenes of wickedness and woe ;
 She sought her way through all things vile and base,
 And made a *prison a religious place* :
 Fighting her way—the way that angels fight
 With powers of darkness—to let in the light.”

We have in Miss Dix, the blessed friend of the insane, whose efforts in their behalf are made perpetual in the magnificent asylums erected all over our land for lunatics, an illustration of what one woman can do in arousing the public conscience, and reforming legislation.

We see in all these efforts to secure the reform of convicts, and to prevent crime, a beautiful tribute of respect to the Christian religion and the Divine oracles. Our state governments dare not withstand the appeal of a Christian people to send into our prisons and reformatories the word of God, and the living teacher. There is no system of personal reform outside of the Bible. This is now acknowledged by a state when

it gives the Bible and the chaplain, the Sunday-school and the prayer-meeting, to its imprisoned citizens. Why should there be such reluctance oftentimes by legislatures to admit the higher law of the Scriptures? The Bible asserts its claim to be fearlessly and frankly recognized in courts and legislatures, as well as in schools and in prisons.

We are compelled to pass over the subjects of finances, hygiene, and prison industries. The subject of criminal administration, which concerns the penal code—the arrest, trial, conviction, sentence, and pardon of offenders, has a vital relation to prisons and reformatories. To notice the principles which have been discussed and suggested by criminal lawyers and state officials, as furnished in the Appendix to this Report, would require the space of another article. We have written enough to suggest the importance of this Report, and the strong claims which prison reform has upon the good men and women of our day. We hope that our judges, governors, lawyers, physicians, and ministers, will reëxamine this subject, and attain to a higher sense of the wrongs and the remedies connected with our penal institutions.