

E. L. Wines.

RUSSELL SAGE
FOUNDATION

CORRECTION AND
PREVENTION

FOUR VOLUMES PREPARED FOR THE
EIGHTH INTERNATIONAL PRISON
CONGRESS

EDITED BY

CHARLES RICHMOND HENDERSON, PH.D. (LEIPSI^C)

PROFESSOR OF SOCIOLOGY IN THE UNIVERSITY OF CHICAGO
COMMISSIONER FOR THE UNITED STATES ON THE INTER-
NATIONAL PRISON COMMISSION

NEW YORK
CHARITIES PUBLICATION
COMMITTEE MCMX

Copyright, 1910, by
The Russell Sage Foundation

PRESS OF WM. F. FELL CO.,
PHILADELPHIA

RUSSELL SAGE
FOUNDATION

PRISON REFORM

EDITED BY
CHARLES RICHMOND HENDERSON, PH.D. (LEIPSIK)
PROFESSOR OF SOCIOLOGY IN THE UNIVERSITY OF CHICAGO
COMMISSIONER FOR THE UNITED STATES ON THE INTER-
NATIONAL PRISON COMMISSION

CORRECTION AND PREVENTION

FOUR VOLUMES PREPARED FOR THE
EIGHTH INTERNATIONAL PRISON CONGRESS

NEW YORK
CHARITIES PUBLICATION
COMMITTEE MCMX

Copyright, 1910, by
THE RUSSELL SAGE FOUNDATION

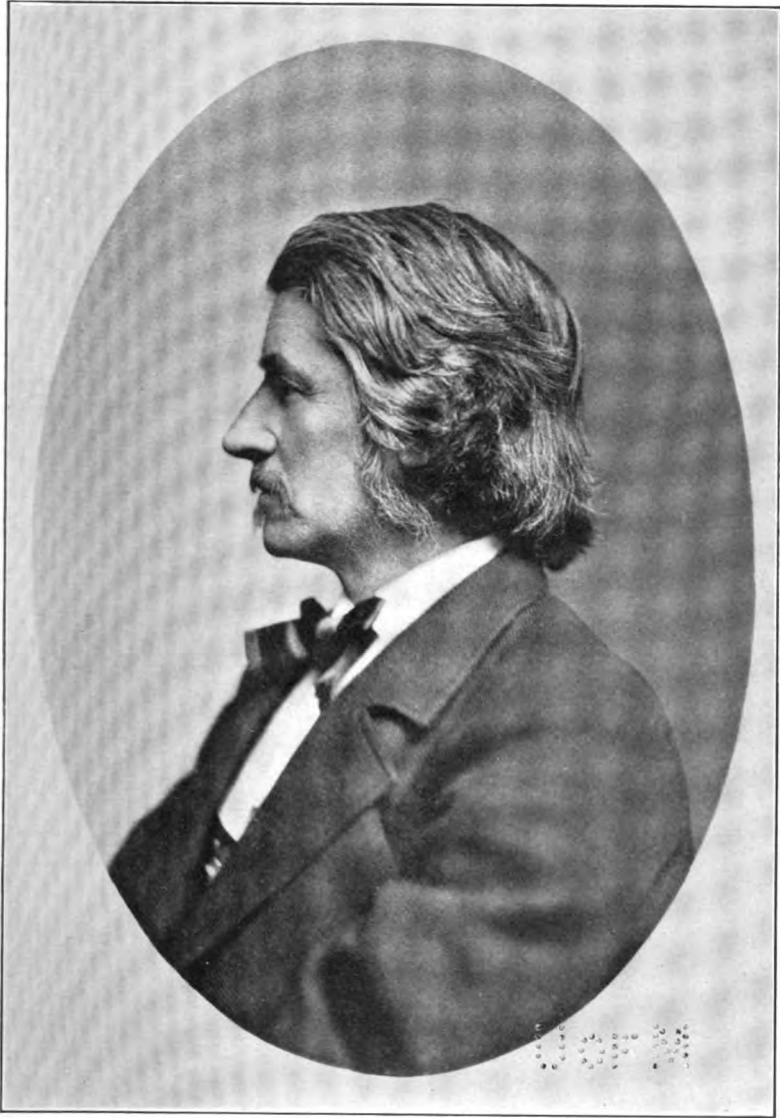
E. C. WINES AND PRISON REFORM

A MEMOIR BY F. B. SANBORN*

THE history of great reforms is the story of many laborers toiling, either in association or widely separated, towards the same chief end. But it is also, in most instances, the personal biography of some one man or woman, to whose devotion and perseverance, for a series of years, the labor of the many was indebted for wise direction, wide advertisement, and practical application at the right place and time. Such a person, in our special task,—the reformation of prison discipline, and the final establishment of prison science,—was the late Dr. Enoch Cobb Wines; and it is a labor of love that one of his early associates now attempts in this essay.

I had never heard of Dr. Wines, except as the author of a few books, when in October, 1863, Governor Andrew of Massachusetts, distinguished as a philanthropist, made me the first secretary of the first Board of State Charities in the United States. Among the many duties of the secretary was the inspection and supervision of some thirty prisons, large and small, in that old Commonwealth, managed, as they were, under an antique and heterogeneous system of laws and customs that had been forming ever since the Pilgrim Fathers landed on Plymouth Rock in 1620. The new secretary of a new board could not for nearly a year devote himself to the examination of this system, so pressing was the need to reorganize establishments for the poor and the insane. But during 1864 I visited all our prisons, and some in other states, and investigated what was then a new system, the Irish convict law and practice. Upon this, and upon the defects of our own prisons, I reported in February, 1865, to the Massachusetts legislature. I also presented the results of the inquiry into European prison systems in the *North American Review* for January, 1866. My report and article fell into the hands of Dr. Wines and Professor Dwight, then investigating the whole prison system of the United

* For years an associate of Dr. Wines in prison reform work.



J. B. Sanborn

States, and I was able officially to promote their inquiry in Massachusetts. A similarity of aims and enthusiasm soon brought us together, the elder and the younger, in prosecuting the task Dr. Wines had undertaken.

We traveled together, visited prisons and addressed audiences in company, and he spent at my house in Concord one or two of those last days of his ever active life which were consecrated to the publication of his last monumental book at Cambridge, where he died, December 10, 1879. He was not quite seventy-four at his death, being born at Hanover, New Jersey, February 17, 1806. His prison work was not taken up till he was past fifty-five, and I joined him in it at three-and-thirty. As Wordsworth sings of an early companion:

We talked with open heart, and tongue
Affectionate and true;
A pair of friends, though I was young,
And Matthew seventy-two.

I am indebted to Dr. Frederick Howard Wines for recollections of earlier years of his father's life, and an estimate of his admirable qualities, which few are so competent to give. He writes:

"My father possessed one of the rarest types of mind. He seemed not to need the slow process of logical thought in order to arrive at conclusions; nor yet did he reach them by intuition. He rather appeared to grasp them. I often thought his mind resembled a clear pool, into which a truth once cast was instantly enveloped on all sides at once. He felt it, felt the whole of it, and accepted it for what it was. Neither a wit nor a scientist, his mind flowed more freely in the channels of metaphysics and philosophy. Yet he never lost his bearings in a tangle of speculation, and he never cut the thread which binds speculative thought to the real and practical. In his last days he told me, with a face made radiant by inward light, 'I have been greatly blessed; I have never had a religious doubt.' I looked at him with amazement; for the moment my faith was almost shaken in his intellectuality. Most men, as Browning has said, lead 'a life of doubt diversified by faith,' or else 'a life of faith diversified by doubt.' Dr. Wines was an exceptional man in this regard, as in many others.

"The foundation for his work in life was a robust physical constitution, invigorated by his environment and early occupation. His father was a farmer, at first in New Jersey and afterward in Vermont, on the shore of Lake Champlain. We know how simple

and how stern was life on a New England farm one hundred years ago. The first care of a Puritan parent was to instil a firm religious sentiment and strict principles of moral integrity; to teach his children to make Duty their watchword, and to dread the enervating influence of self-indulgence upon character. My father was subjected to no temptation such as overpowers and destroys many another. He passed through the experience called 'conversion'; united with the Church, and doubtless said to himself, 'I have made up my mind to do right.' He never changed it. Like Paul of old, he fought the fight and kept the faith.

"Such a nature could not be held within the narrow confines of a remote country farm. As he approached manhood he determined to go to college. Middlebury was near his home, and he went there. His father, though not a poor man, could not afford to furnish the means required for a liberal education; so the boy earned the money and paid his own way. He prepared himself; and, to show his readiness, I may mention that, finding in his Latin grammar larger and smaller type, he mastered in a single week the paragraphs of chief importance, printed in the larger type. One night in college he worked late over a mathematical problem which he could not then solve. Exhausted, he jumped into bed, and blew out his candle on the small table where he left paper and pencil for the morning. Imagine his surprise then to find the problem solved in his own handwriting! He had done the task in the dark, without any knowledge or remembrance of the fact. Such was the determination with which he attacked any problem before him.

"His original purpose was to prepare for the Christian ministry; whether influenced by the remarkable power and popular esteem of clergymen at that period, I cannot say. Perhaps his mother wished to see him in the pulpit; but my belief is that the impulse came from himself. He had a passion for saving men. Yet he began his career as a schoolmaster, and for some years he conducted a private classical school for boys in Washington on Pennsylvania Avenue, directly opposite the park enclosing the Capitol. There he met, courted and married my mother.

"From Washington he entered the navy, as a teacher of midshipmen, long before the Naval Academy at Annapolis was founded; and he went with his pupils on a voyage to the Mediterranean in the frigate Constellation, now employed as a training-ship. In this relation he served two years and a half, during which he kept a journal, and soon after published two volumes describing his experiences,

which were soon reprinted in London.* His account of the American navy therein was transferred bodily to the early editions of Chambers' Cyclopaedia. The difficulties encountered in his work afloat impressed him with the need of a national naval academy, for the establishment of which he was an enthusiastic advocate.

"Later he became proprietor and principal of the Edgehill school for boys at Princeton, a preparatory school for the college. There he interested himself in a state normal school for teachers,—another forward movement in which he took a prominent part. There he wrote two books on popular education, among the first on that topic printed in the United States. He was invited to Philadelphia from Princeton as one of the four original professors selected to open the new city high school, since so eminent, and one of the first of its class organized in this country. He remained in this position until after 1840, and during his residence in Philadelphia wrote often for the *United States Gazette*, a newspaper edited by his friend Joseph R. Chandler,—among other things, some letters from New England, which he soon collected into a small volume containing his early impressions of Boston and Harvard College. A more important work was unique at the time of its publication in 1839,—*A Peep at China* in Mr. Dunn's Chinese Collection. This was a collection of articles belonging to Nathan Dunn of Philadelphia,—said at the time to be the largest or richest Chinese collection in Western lands; larger than even that at the Hague. The collections then existing at Salem in Massachusetts, and in the rooms of the London East India Company, though rich in East Indian curios, were not equally so in objects illustrative of Chinese life, in which Dr. Wines took a great interest even then. The international and philanthropic bent of his mind is shown in a sentence of his preface to this considerable brochure: 'By some, the following pages may be regarded as an "Apology for the Chinese"; but it is no more an apology than truth and justice demand.'"

It may be remembered that in his last volume, published after his death, Dr. Wines opens with an account of ancient prisons, and gives an early date to the Chinese convict system, then nearly 4000 years old. A curious anecdote, told in this connection, suggests to Dr. Wines that the cellular system originated in China. A king being given over to vice, his premier, Y-in, declared, "No communication

* Their full title was, *Two Years and a Half in the Navy; or Journal of a Cruise in the Mediterranean and Levant, on Board of the U. S. Frigate Constellation in the years 1829, 1830, and 1831.* Carey and Lea, Chestnut Street, Philadelphia.

must be allowed him with evil companions. I will cause to be built a palace in Tong; there, near the ashes of his royal sire, I will give him instructions, to the end that he may no longer pursue a vicious life."

Accordingly the king lived in his new palace according to the Eastern Penitentiary plan, and at length, says Dr. Wines, "entered into the true path of virtue." This first case of cellular imprisonment, he adds, "is the only case on record in all antiquity of a reformed prisoner." Although in Philadelphia for several years, and no doubt occasionally at the Eastern Penitentiary, Dr. Wines seems to have been more familiar with the Chinese Collection than with the then famous and much disputed prison, which European experts were inspecting and imitating across the Atlantic.

At Princeton, before going to live in Philadelphia, Dr. Wines edited for a time a *Monthly Advocate of Education*, but it may not have been till 1847 that he publicly advocated a state normal school for New Jersey. In that year, as one of a Convention of the Friends of Education in Burlington County, he reported for a committee an argument for such a school, and a form of petition to the New Jersey legislature requesting its establishment. Letters appended to this report were written to Dr. Wines by Governors Seward of New York and Edward Everett of Massachusetts, Gen. Dix and Bishop Alonzo Potter of New York, Horace Mann, then active with Dr. S. G. Howe in reforming the schools of Boston, and J. R. Chandler of Philadelphia. This list of his correspondents shows how active he was at that date in interesting men of great public influence in the measures he was advocating. He was then (1847) at the head of the Oaklands school at Burlington, New Jersey, of which he took charge in 1844, having left Philadelphia some time before. In 1848-49 the slavery question attracted his attention and claimed his ready pen; for he issued in 1849 a pamphlet of 44 pages, *Thoughts on Slavery*, with a motto from *Paradise Lost*, ending

But man over man
He made not lord; such title to himself
Reserving, human left from human free.

It closed with this prophetic declaration:

"The vote by which involuntary servitude has been excluded forever from the Oregon Territory is the pledge of similar triumphs when the same contest shall be renewed on the soil of New Mexico and California. If the friends of human freedom be but true to their

cause and themselves, we shall be spared the humiliation of adding to the crime of national plunder the deeper, darker stain of filling regions now happily exempt from such evils, with the clank, the tears and the blight of slavery. Spirit of Wilberforce, of Clarkson and of Channing, breathe upon our hearts, and arm us for the conflict."*

In this sentiment Dr. Wines was then in accord with the Adamses, Webster, Everett and the Whig party generally, to which he had belonged, although some of them afterward changed their attitude, as Dr. Wines did not. Seldom, however, did he take part in political debates, being more deeply interested in questions of education and religion. A signal instance of the latter was an exposition of his long-considered view of Mosaic legislation, concerning which his son says:

"While in Philadelphia about 1840, he had been asked by a Hebrew Association to give a public address on Moses the Hebrew Lawgiver, which was so well received that in after years he expanded it into a volume, for which he long made elaborate studies. His results were embodied in a series of lectures, which he read at a number of places in New England. In these he took for his main thesis the proposition that the codes of Christendom are founded in principle on the misunderstood and much maligned Mosaic Law. Proceeding from this, he wrote out the first volume of what he hoped might be a work of interest and value, afterwards published at New York by the Putnams, under the title, A Commentary on the Laws

* These were the views of Dr. Wines before the general emancipation, and it may be well to place on record some later views, written in correction of remarks made by his intimate friend, Richard Vaux of Philadelphia, at the Prison Congress of New York, in June, 1876. Dr. Wines added a long note (pp. 456-7) to the address of Mr. Vaux on Prison Discipline, in which he said:

"One word as to race. My friend says, 'The Negro is by *nature* debased and degraded.' I would substitute *slavery* for *nature* in his proposition. His corollary is, 'Apply a different prison discipline to him from what you do to the white man,'—the effect of which would be to widen the chasm between the two races. I say: Diminish the chasm as fast as possible, and in the end close it up by education, religion, and all civilizing, elevating, refining influences; and let all positions, dignities, trusts, responsibilities be open to the Negro as to the white man, whenever he shows himself capable and worthy."

In his own paper, read at the same Congress (p. 408), Dr. Wines said of Moses and his code: "As to slavery, it never had a more hearty hater than Moses; but he did not uproot it by one mighty wrench, for that would have been to do violence to what was then the common sentiment and common practice of the race. But he put in motion a train of influences which were intended to destroy it, and in the end did destroy it among the Jews; and that, not as it has been destroyed among us, but gently, peacefully, without tumult or commotion; above all, without the shedding of fraternal blood."

of the Ancient Hebrews.* This was intended by him to be merely preliminary to a second volume, wherein he designed to reduce the prescriptions and sanctions of the Mosaic Code to the form of a modern law-book; analysing, classifying and restating them in language 'understandable by the people!' With his materials already collected he would have carried out this plan, had he lived longer. When he died, the *Jewish Messenger*, an organ of the Hebrews, observed that, while no man who knew him could doubt that he was a Christian, yet the Jews had never a better friend than they had now lost in Dr. Wines.†

"At long and at last he entered the Christian ministry, a little after 1850; at first to supply a Congregational pulpit in Cornwall, Vermont, and soon after as a Presbyterian pastor in East Hampton on Long Island, where Dr. Lyman Beecher had preceded him, many years before. (It was the parish where, as Mrs. Stowe relates in her father's Life, Dr. Beecher once remarked that the pastor was expected to take part of his pay in whales,—since by an old usage he was entitled to a fair share in any stranded whales within the parish bounds.)

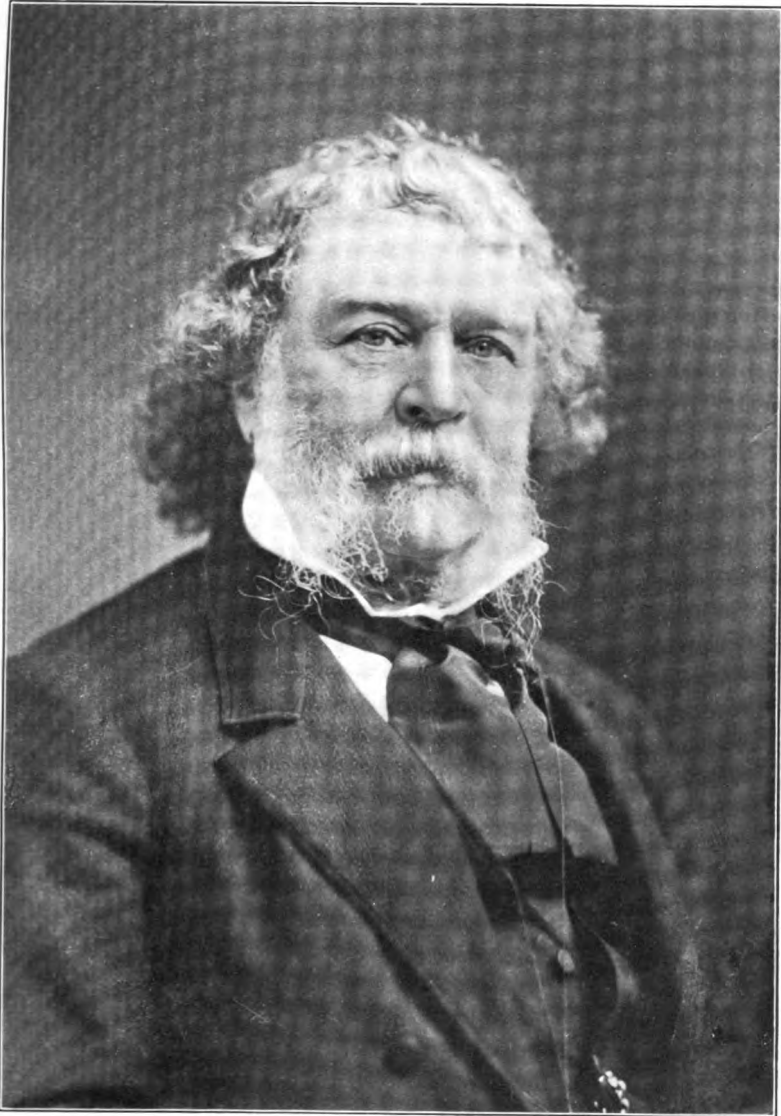
The salary of Dr. Wines was but \$600 in money, with the use of a parsonage; and it will illustrate a feature of his character to mention that he at once set aside one-tenth of this small stipend for his benevolences, and lived, with his wife and four children, on \$540. From East Hampton he went in the summer of 1853 to be professor of Latin and Greek in Washington College, at Washington in Pennsylvania, at which I graduated in 1857, and where my friend, the late John Milligan, graduated later."

After six years at Washington College, Dr. Wines was invited by friends in St. Louis who wished to found another university there, to be its first president. The occasion of this invitation was the

* A commentary on the Laws of the Ancient Hebrews was published at New York in 1853, more than twenty years after his first two volumes came out in Philadelphia in 1832.

† In this connection I may quote what Dr. F. H. Wines writes:

"It might have been supposed that Mr. Vaux and my father could have little in common. They were of different professions, divergent politics, different shades of religious thought, with widely variant social experiences and circles of acquaintance; and they held divergent theories of prison management. Yet Mr. Vaux said to me, and repeated it warmly, 'There is nothing I would not do for Dr. Wines.' When I remarked that his children sometimes wished he were more a man of the world, Mr. Vaux threw up his hands and exclaimed, 'My God! it would have spoiled him!' I may add that he agreed in my father's lofty estimate of Moses and of Paul, whom Mr. Vaux once characterized as the two greatest men known to serious students of the history of civilization."



Richard. Ross

previous establishment of Washington University at St. Louis, under the administration of its first chancellor, Joseph Gibson Hoyt, my former teacher at Exeter, New Hampshire. He was a graduate of Yale in 1840, and had long been connected with a Congregational church in New Hampshire; but as some of the founders of Dr. Hoyt's university, particularly the Smiths of St. Louis (originally from New Hampshire), were Unitarians, a group of wealthy and prominent Calvinists desired collegiate instruction in their city under influences of which Dr. Wines was a representative. He therefore opened a preparatory school at St. Louis; but the political agitation of 1860, followed by the Civil War, so injured and temporarily destroyed the ancient business of the city, that the proposed university never materialized, and Dr. Wines finally gave up the business of instruction, in which he had been for more than thirty years engaged. Of his character and influence in this part of his life his son says:

"Few men can have ever felt for a father deeper reverence or a warmer affection than I for him. It never occurred to me that it would be possible to disobey him. If he had told me to hold my hand in the fire, I thought I should have no choice but to do it. It never entered my mind that he had been or could be guilty of a wrong act; for he had the courage of a man and the purity of a woman. The influence that he had over me, I noticed that he had over other boys and men. He long had the habit to rise early,—before daylight in winter,—and spend the first morning hour in meditation and the exercises of private devotion. To this practice he doubtless owed much of the power over others which he exerted, and which had this hidden source. In teaching he discarded corporal punishment, as something for which he had no use and felt no need. He could govern a boy without it. His authority inspired affection also."

At this point in his career, and before considering Dr. Wines in his prison work at New York, to which he removed in 1862, and from which center his influence was to radiate in all directions, I will pause awhile to point out what was his preparation for essentially a new task, in which he succeeded beyond all reasonable expectation, far beyond what any other American at that time could have done. Like his friend of later years, Dr. Howe, who had preceded him by thirty years in his practical experience of prison life, and by nearly twenty years in his grasp of the essential principles of prison science, Dr. Wines was (as ancient Lloyd so well describes Sir

Anthony Brown of the Tudor reigns) "the best compound in the world, a learned, an honest and a traveled man; a good nature, a large soul and a settled mind." He was less than five years younger than Howe, and outlived him by less than four years; so that their lives covered much the same period, and almost exactly the same space of time. Their travels began at about the same age (three-and-twenty), and were directed to the same regions in Europe, the countries bordering the Mediterranean. Dr. Howe had more experience with the British navy, Dr. Wines with the American; and both in their narrations described with enthusiasm the same ancient lands, Greece and Italy, with their islands and shores. Both happened to be once in Greece at the same time, near the close of the short administration of Count Capodistrias, first and only president of emancipated Hellas. Capodistrias granted to Howe the thousand or two acres at Hexamilia, near Corinth, where Howe established his unique colony of homeless Greek refugees in 1830, and governed them with the aid of his eccentric friend, the Scotch David Urquhart. Dr. Wines, in his hurried visit to Corinth from Nauplia, rode near this colony, but does not seem to have known of its existence; indeed, it was known to few but its beneficiaries, who welcomed Howe back there in 1844, when he revisited Greece after a long absence. In his second volume of 1832, Dr. Wines thus speaks of Capodistrias, who was assassinated by the sons of old Mavromichali, the ancestor of the late Greek premier:

"May, 1830. Nauplia. The President, the Governor of the city, and most of the officers of the government visited our ship while she lay at Napoli. Capodistrias then gave a splendid entertainment at his palace, at which, however, I had not the honor of being present. When we were again at Napoli in July I called on him, in company with the Captain and the Purser of our frigate. He was a man of the most captivating manners, and of easy conversation. I judged him to be about 65 years of age.*

"He was rather above the ordinary stature, with a high forehead, grey hair, large dark greyish eyes, long features, an intelligent but care-worn expression of countenance, and a form perfectly symmetrical and graceful. His dress was as plain as the simplest re-

* He was in fact but little above fifty; had been brought up at the court of Alexander of Russia, and there acquired the ease of manner noticed by his visitors. He was a patriot and a man of ability, but believed to favor a Russian party in Greece, and had involved himself in one of those feuds for which the Greek revolutionists were notorious, and which cost several of them their lives.

publican could have desired it, and his palace was of plain construction and plainly furnished. It is true that guards were stationed at the entrance,—a regal precaution,—but this was rendered necessary by the character of the people and the state of the country. His conversation, in Italian, was chiefly a detail of political news, in answer to inquiries made by Captain Wadsworth. No allusion was made to the state of Greece, or to his own administration. The country was verging to a revolution. One province was in actual revolt, and some others in not a much better state. The opposition numbered such men as Miaulis, Tombazi, Canaris (naval heroes), Mavrocordato, Conduriotti, General Church, and almost all the officers of the navy. The charges made against Capodistrias were principally these,—subserviency to Russia, abolition of freedom of the press, embezzlement of the public treasures, and the employment of bribes and menaces to corrupt and overawe the legislative and judicial authorities. In confirmation of the last charge, I was assured by an English lawyer resident at Argos that no decision could be obtained, in any court, in favor of a man known to be obnoxious to the President. Whether all these charges were true, I cannot know; but I do know that they were generally believed by the Greek people. It would be unjust to deny that Capodistrias did much to promote civilization; that his efforts were unwearied to facilitate intercourse between different parts of the republic, by the suppression of piracy and robbery; that he gave to education the countenance and support of an enlightened and patriotic statesman; and finally that he introduced something like order and efficiency into public affairs. On the whole, his administration was partly good and partly bad; and had the Greeks been a better people, he would have been a better ruler.”

The only hint that this early book gives of an interest by the author in prison affairs was his visit to the State Prison of Greece, then not far from the palace of Capodistrias, which, in turn, was near the church where he was assassinated by the young Mavromichalis, in October, 1831. Dr. Wines says:

“The public penitentiary of Greece is within the fortress of the Palamedi (the citadel of Nauplia). It is an immense building, with walls of prodigious thickness, and from 40 to 60 feet in height. About 40 prisoners were confined within its cells when we were there. A short time previous one poor fellow had attempted to escape by throwing himself from the top of the wall, to which, somehow or

other, he had managed to climb. His body was dreadfully mangled by the fall, and he died in three days."

In his *State of Prisons*, issued in 1880, after the death of its author, Dr. Wines said of Greece half a century later:

"There are 17 detention prisons, in which, for want of room elsewhere, are also ordinarily confined those sentenced to imprisonment not exceeding a year. There are seven convict prisons. The average number of prisoners is 3600. The annual movement indicates a population of about 8000 during the year."

The enthusiasm of the naval schoolmaster was aroused, as with all travelers in Greece, by the glory of its sunlight and the beauty of its scenery. He said:

"I have beheld with rapture the prospects obtained from the Keep at Carisbrooke Castle, from the Rock of Gibraltar, from the Leaning Tower of Pisa, from the ridge of the crater of Vesuvius, and from the Acropolis at Sardis; but which of them can be compared to that enjoyed on the top of Acro-Corinthos? Here the view is without limits in every direction, and comprehends every description of scenery, from the most desolate sublimity to the softest beauty that adorns the enchanting vales of Greece. Facing the Gulf of Lepanto, the spectator will have before him the plain of Corinth, from four to five miles wide, and from ten to fifteen long; gay with numerous villages and diversified by extensive olive groves, green parterres and golden wheatfields. On his right the gigantic ranges of Cithaeron, Helicon and Parnassus, towering far into the clouds, stretch in apparently interminable outlines to the interior of Northern Greece. Turning his eye to the left, it will rest on the Peloponnesus, exhibiting mountains piled on mountains, with here and there a green valley. Then facing to the east, he will look down on the Saronic Gulf, its bosom gemmed with verdant islets; and far beyond he will discern the promontory of Sunium and the coast of Attica, among whose sacred hills shoots up the still more sacred Acropolis of the city of Minerva. . . . Never shall I forget the wild sublimity of these mountains, or the smiling loveliness of these valleys; never forget the balmy mildness of Grecian evenings, or the celestial purity of the climate. Never shall I forget the clear, deep blue of her waves, or the soft splendors of her moonlight nights; above all, never forget a sunset I once beheld while standing among the ruins of Athens. In the theatre of Herodes Atticus I was between the setting sun and Mount Hymettus, whose western side in its whole extent seemed enveloped in a robe of the softest, most brilliant purple. As the sun

continued to sink, so that his rays ceased successively to strike on different parts of the mountain, the purple tints gradually retreated before a line of sombre hues; and it required little imagination to fancy that I beheld the dark Spirit of Barbarism chasing away the delicate and glorious splendors of Grecian genius."

As I quote, I recognize how faithful is the picture, often seen by me. With descriptions as glowing as this are mingled, in this early book, the soundest observations on men and things, and a perception and record of the graceful or the dismal traits of human nature. The three years therein registered gave him the opportunity for a study of mankind in various countries and under changing conditions; made him familiar with the languages and the manners of the older nations, and trained him in the politeness of the man of the world, whom no situation surprises. His education had given him a written style of learning and good taste; his habits of industry were fixed, and as restful as the leisure of other men; so that thirty years later, at the age of fifty-six, he was well prepared for the new task he then undertook. His son says:

"You are as familiar as I with the main facts of his subsequent career, for which, it soon appeared, his service in the navy, his European tour, and his whole life's discipline had trained him. Though without diplomatic experience, his habit of associating with men of education and influence in this country and abroad, stood him now in good stead. While stationed at the town of Port Mahon, he had become so familiar with Spanish that he said he sometimes dreamed in that tongue; and he had a serviceable knowledge of written French and Italian, without acquiring much readiness in speaking either." These languages were useful in his early prison inquiries, and vitally so when he took up the organization of an international prison congress, following out his rapid success in holding national prison congresses in the United States.

On the 24th of July, 1862, when Dr. Wines took his seat as secretary of the New York Prison Association, that semi-public organization had existed for some sixteen years. He held that place eight years and four months. In 1871, following the Cincinnati Congress, he was made secretary of the National Prison Association there organized; and in the same year was appointed by President Grant a special commissioner of the United States to secure the adhesion of the chief European governments to his project of holding an international congress in London. He succeeded in accomplishing the task assigned, and the first International Prison Congress met at

E. C. WINES AND PRISON REFORM

London in 1872, under the presidency of the Earl of Carnarvon. Thus in the ten years following his first prison appointment in New York, he had triumphantly accomplished what few persons acquainted with the obstacles to be surmounted, and with the indifference of the widely separated and often jealous communities in which he worked during these ten years, would in 1862-65 have looked upon as practicable.

THE NEW YORK PRISON ASSOCIATION

This had been founded by good men of wide experience and extensive theoretical knowledge, but without much power of bringing great results to pass. In its first seventeen years its total income had been less than \$41,000, an average yearly revenue of only \$2400. Before the new secretary had been a year in office, with the aid of his associates he had secured a yearly appropriation of \$5500 from the public authorities of the city and state of New York. When he gave up his office at the close of 1870, the total income of the society had reached \$14,000 a year; the aggregate receipts during his term of service being nearly \$100,000, or more than twice the amount received during its first seventeen years.

The work carried on in the New York Prison Association, by means of this large increase of its funds, soon extended beyond the limits of that state, and made Dr. Wines known all over the United States. The inquiry into the general prison situation in the United States, in which Theodore W. Dwight was joined with Dr. Wines, was plainly a national work, and was utilized in each of the states where efforts were making to improve the local prisons. It made Mr. Brockway, then managing a prison in Detroit, known to Dr. Wines, and the two men thereafter worked together and accepted me as a volunteer colleague. We found the American Social Science Association, which a few of us had organized at Boston in October, 1865, a very useful auxiliary in bringing together the persons, then not very numerous, who had a serious interest in reforming prisons; and the organization of the Cincinnati Prison Congress in October, 1870, was partly the task of the New York Prison Association and partly of the Social Science Association, which had members in many states. When it came to organizing an international congress, however, the Prison Association hesitated and balked. Dr. Wines gives an account of his successful efforts in his last book.*

* The State of Prisons, p. 46. Quoted by Dr. F. H. Wines in the previous article.

This brief page hints at the result of five years' labor by Dr. Wines and his intimate friends; but what an incessant and widespread labor it was! The reforms urged by me on the Massachusetts legislature in 1865 had been favored and extended by the reports of the New York Prison Association, and especially by Dr. Wines and Professor Dwight, in the report already mentioned. But they had covered a much wider region in their inquiries, and summoned a far greater array of witnesses to the evils that were to be removed, and to the remedies that ought to be applied.

Massachusetts had anticipated New York in laying before the people of America the then recent theories of Captain Maconochie, which, reduced to practice, had demonstrated their soundness under the system of Captain Walter Crofton, and had been introduced with full authority in Ireland in 1854. But New York had anticipated both Massachusetts and Ireland in furnishing a youth of genius, fortified with common sense and business tact, who was building prisons, and showing how they ought to be administered, while Dr. Wines and I were talking about the principles involved. This powerful ally was Z. R. Brockway, originally of Connecticut, but who in his early manhood had migrated to New York. There, under a New Hampshire prison disciplinarian, Amos Pilsbury, he was learning at Albany the lessons upon which he so much improved afterward at Rochester, Detroit and Elmira. We made his personal acquaintance at Detroit in 1866-67, and from that time forward he became a most efficient member of the volunteers of Prison Reform.

But Mr. Brockway, like other prison administrators, was fixed to one spot, and had not the wide range of travel and correspondence that Dr. Wines enjoyed after having first created the occasion for it. The New York secretary traversed the whole North, and opened correspondence with all Europe and some regions of Asia, Africa and South America. By 1869 he was in communication with nearly every person known to be actively interested in prison reformation. Maconochie had died before either Dr. Wines or I took up this question,—October 25, 1860,—but his widow and the widow of Horace Mann (with whom Maconochie had corresponded) furnished us with his inspiring and convincing pamphlets, and with a manuscript which the late Dr. Edward Everett Hale afterwards printed in his short-lived Social Science magazine, *Old and New*. The doctrines of Maconochie were accepted or thought out by others; and it was readily seen that the two old and famous modes of prison management, the Auburn and the Philadelphia systems, were confessedly

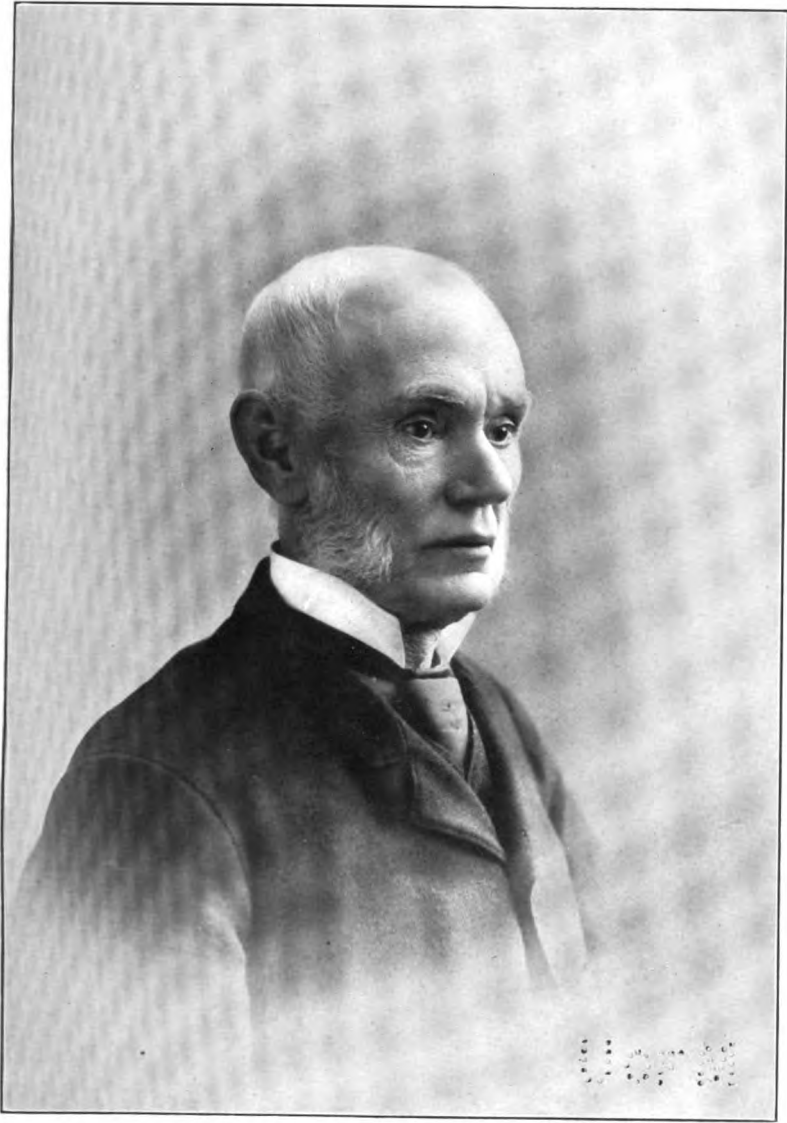
inadequate, often inapplicable, and needed to be combined and supplemented or superseded. This, in his tentative way, Mr. Brockway was doing at Detroit, as it had been done on a larger scale in Ireland by Sir Walter Crofton and his associates. To this fermenting and promising condition of the public mind, Dr. Wines and his New York Prison Association had largely contributed.

THE NATIONAL PRISON ASSOCIATION

But Dr. Wines, like his son since his time, was nothing if not national. To limit himself to a single state, even so important as New York, was out of the question. He therefore early joined the American Social Science Association, and put himself in communication with the British Social Science Association, upon whose model ours was fashioned, but which ours has outlived. Through these organizations, and the slowly increasing state boards, Dr. Wines agitated for an American Prison Congress, and before he left his New York field of action, it had been successfully held at Cincinnati, in the week beginning October 12, 1870. Twenty-five states and the Colombian republic in South America, and Canada in North America, were there represented.

As chairman of the committee of arrangements, of which Dr. Wines had been far the most efficient member, I had the honor of calling the Congress to order; and three of us, Mr. Brockway, Dr. Wines and myself, were the working force on the business committee of the sessions. To us as a sub-committee was referred the draft of a Declaration of Principles, prepared by Dr. Wines; and over this we spent many deliberative hours. As printed in the volume of Transactions, it makes six pages and a half, in thirty-seven separate sections; and, but for the abbreviating powers of his two colleagues, the draft of Dr. Wines would have run to eight or ten pages. His habit of stating all things methodically, whether they were matters generally known and accepted, or were still open to debate, was invaluable; but something must be conceded to the brevity of human life, and the dulness of mankind in general. When we urged this, and shortened the Doctor's periods, his good nature, and his faith in our friendship made him yield; but not without a pang.

I have had occasion to mention the persistence of Dr. Wines in all his good works, and shall need to recur to that trait; it was the perseverance of the saints, and not without some of the *naïveté* of that class. The affection of an author for his own work is one of those natural sentiments, like what the phrenologists used to call in



A. G. Beyer

their sesquipedalian way, "philoprogenitiveness." It was manifested in this case by Dr. Wines in a pleasing manner. As editor of the Cincinnati volume of Transactions, of 650 pages (or, when combined with the report of the New York Prison Association, of nearly 850), he loyally printed there the abridged Declaration, but immediately followed it with his own original draft, prefaced thus:

"The foregoing DECLARATION OF PRINCIPLES is in the main a condensation of a paper prepared and printed by the committee of arrangements, in advance of the meeting, and distributed for examination to all persons invited to attend the same. The committee did not expect that their paper would be adopted by the Congress in a form so full as that in which it had originally appeared; and indeed, they themselves prepared the condensed form for the business committee of the Congress. As most of the articles in the original paper contain, severally, not only the statement of a principle, but also a short, incisive, pithy argument in support of it, the publishing committee have deemed it best to give the said paper a place in these Transactions, and thus secure for it a more permanent form than it had as published in the Programme of Proceedings."

Then follow seventeen solid pages of the draft,—the Declaration having occupied, as has been said, but six and a half. In the Transactions of the International Penitentiary Congress of London, two years later, the same draft reappeared, but now reduced from seventeen pages to eight, and entitled Propositions Submitted to the Congress by the American Delegation. In this abridgment the official Declaration is as much shortened as the original draft, and its thirty-seven sections, as well as the forty-one of the draft, are reduced to but twenty-five.

My own share in the work of the Cincinnati Congress, besides serving on its committees, was chiefly restricted to a brief paper answering the question, How Far is the Irish Prison System Applicable to American Prisons? It followed a longer paper by Sir Walter Crofton on the system as introduced by him in Ireland, and as administered by himself and others for fourteen years in its final form. In this paper he said, "It has been the means of securing the objects contemplated to their fullest extent, and has abundantly refuted the objections made to it."

It is safe to say that every advance in the improvement of prisons and the restoration of culprits to fairly honest lives in American society, since the Cincinnati Prison Congress adjourned, nearly forty years ago, has followed the lines laid down in its Declaration of Principles. Much has been done in this interval, and, alas! much

E. C. WINES AND PRISON REFORM

still remains to do; particularly in the matters of compulsory education, and a uniform system of prisons, duly classified and with the best appliances for labor, school training and self-support. But although he did not live to see all the good results which we see, Dr. Wines knew before his unexpected death, that the good seed he had so diligently sown was bearing abundant fruit. The National Association was organized, and the work of the New York Prison Association went on vigorously; and between these two bodies, the indeterminate sentence, and the Elmira Reformatory Prison were both satisfactorily working before December, 1879. Mr. Brockway took charge of the Elmira experiment in 1876, and it had become an undoubted success long before he resigned its direction in 1900.

THE INTERNATIONAL CONGRESSES

In a certain sense, the Cincinnati Congress was international; for the most eminent European prison reformers and criminal jurists participated in its proceedings by papers and letters; but it led to an actual assemblage of a more international character in 1872, and on several after occasions. From the first, Dr. Wines had aimed at this final result, and he was encouraged to persevere by the words of sympathy that he early received from Europe. His son writes me:

“Dr. Wines entered into active correspondence with prison officials and students of criminology in all the countries of Europe. Among them was Count Sollohub, the head of the prison administration of Russia, who wrote him that the time was ripe for convening an international congress; that, owing to political complications, no European nation could then take the initiative, and America alone could and should do it. He therefore urged my father to attempt this great undertaking. Dr. Wines laid the matter before the directors of the New York Prison Association, who thought it beyond their province, and perhaps beyond the authorization of their state charter,—as it may have been. He therefore decided to act independently; secured supporters and a committee of arrangements, under the signatures of a call for the National Congress at Cincinnati, where the National Prison Association was born. There the first steps were taken toward the organization of an International Prison Congress, which eventuated so happily for us and for the world.

“Before starting for Europe on this errand, under the commission of the United States, he laid out his route in advance, and settled the dates when he would endeavor to be at each point to be visited. This schedule he adhered to, with as much tenacity as cir-

cumstances would allow. For instance, in Berlin, when he called to lay his mission before the great Bismarck, the German Chancellor, word was sent him that he could be received the next day or the day after. 'But tell the Count,' he said, 'that I leave Berlin tonight;' and Bismarck sent for him at once. In Italy, when he arrived, the Court was at the Italian summer capital, during the heat of summer. The king, at the conclusion of the interview granted to my father, said, 'Have you been in Rome?' 'No, your Majesty.' 'Not seen Rome? You must visit there before leaving Italy.' 'I should love to, your Majesty, but I have no time.' The King insisted, and the outcome was that Dr. Wines went to Rome as the guest of the government, accompanied by a gentleman of the Court, who engaged a magnificent suite of apartments for his entertainment, and acted for two days as his personal attendant and guide, showing him as much as he could in that brief time. Two days was all that Dr. Wines would spare for his personal gratification.

"Mr. Peterson of Christiania told me with much glee, in excellent English, spoken with a charming accent, that when he had shown Dr. Wines everything in and about the prison, and they had taken lunch together, he said, 'Now, Dr. Wines, where shall we go this afternoon? Shall we go to such a place, or such a place?' And your father said, 'What is there? Is there a pree-sone there?' And I laughed and said, 'No, there is no pree-sone there; but there is a fine park, and many beautiful ladies, and much to see and enjoy.' And your father said, 'I go nowhere where there is not a pree-sone.' The dear old gentleman added, with great emphasis, 'Mr. Wines, I loaf your fader.' My mother, who was present, and nearly seventy years old, said, 'Mr. Peterson, I hope you love me, too.' He put his hand on his heart and replied, 'Oh yes, Mrs. Wines, I love you, too; but Dr. Wines, he has the first place in my heart.'

"Dr. Wines had the wisdom of the heart; a higher, nobler attribute than mere intellectual acumen. The quality of his emotional nature (although he was neither impulsive nor sentimental) endeared him to those in sympathy with his aims. They felt that he saw 'the light that never was on sea or land.' They took delight in his simplicity, his sincerity, his *naïveté*, his directness, his heartiness and *bonhomie*. He attached them to himself, and could lead them wherever he went.

"As a critic, he had that prime requisite, the capacity to admire. His eye caught first the beauty in individual character and conduct; he was not blind to defect or deformity, but viewed it with the eye

of charity. Yet he was stern and uncompromising in his attitude toward wrong; he loved the sinner, not his sin. His childlike faith in God was accompanied by faith in the essential manhood of every person created in the image of God. The rock on which rested every conviction he entertained regarding the prison question, in gross or in detail, was his unshakable belief in the salvability of man; in the possibilities hidden within the inner consciousness of the worst men; the essential oneness of human nature.

"I once asked him how he dared to set up his belief in the reformability of convicted felons, in opposition to the general opinion of prison keepers (who had better opportunities to study them than he had), that, as a class, they are beyond hope. With indignant earnestness, he exclaimed, 'They have not tried. How does any man know what he can do till he tries?' He had faith in the unseen possibilities, not of convicts only, but of wardens and guards,—and even of prison contractors, for whose inhuman greed and devious political and business methods he felt intense scorn."

In this generous spirit Dr. Wines had devoted himself to the improvement of the prison system of New York, and to the broader inquiries of which I have spoken, and which first attracted my attention and that of our friend Brockway. As the secretary of the newly formed National Prison Association, from 1870 onward, and as commissioner of the United States to visit Europe and arrange for an international congress, his labors were incessant, systematic, and very fruitful. As one of the first corporate members of the National Prison Association, of which Mr. Brockway and myself are almost the only survivors, and as one of its directors in 1876, I joined in a statement from which I may copy here the remarkable facts that we then made public. We said:

"It is known to the public of our own country and of Europe that the Reverend Dr. E. C. Wines has devoted the last fourteen years to the study of the problems of crime, its treatment and its diminution; for eight years as secretary of the Prison Association of New York, and for six years as secretary of the National Prison Association. The success of the last-named association is almost wholly due to his wise, persistent and unselfish efforts, in the face of great discouragements. Since the organization of the prison congress at Cincinnati in 1870, three similar congresses have been held in this country, at Baltimore, St. Louis and New York; and one international congress at London; while the work of preparation for a second international congress, at Stockholm in Sweden, is already well ad-

vanced. These congresses have resulted in the mutual acquaintance, sympathy and support of men engaged in the prison work, who were before almost wholly isolated from each other; have enlarged the views and elevated the aims of prison officials throughout this country, and have attracted very general attention on the part of the public to the importance of the questions involved. They have given an impetus truly wonderful to the movement in behalf of prison reform everywhere; and their published Transactions are a treasury of information for the student, the statesman and the philanthropist, upon all the points of this general subject. The importance and value of these meetings have been recognized by our national and state governments, and by nearly all the governments of Europe, where the movement for prison reform has been put forward by many years.

“These results have involved Dr. Wines in the most arduous labors for their accomplishment. As United States Penitentiary Commissioner, and as our secretary, he has crossed the Atlantic eight times, has negotiated, generally in person, with all the European governments, and repeatedly made long journeys in the United States. He has traveled not less than 60,000 miles, has written 15,000 letters, prepared, edited and published five volumes of Transactions, and has a sixth now (1876) ready for the press. In addition to all this he has been the only financial agent of the National Association for the raising of funds to sustain his work. These collections, made at irregular intervals, amid other duties, have amounted during the past six years to about \$20,000, or but \$3500 a year for expenses of every description, and he has seldom received the yearly salary of \$4000 originally pledged to him as secretary.”

Notwithstanding this record of invaluable service, the year 1876 proved to be an unfortunate one for raising money and obtaining Congressional appropriations to carry on the national and international work. The Stockholm Prison Congress was not absolutely settled on for place and date; and a senator from the Pacific coast, who for one reason or another opposed the appropriation, was able to defeat it. Dr. Wines, writing late in July, 1876, said:

“As to the loss of our appropriation at Washington: Senator X. made a speech against it. He reasoned skilfully upon the uncertainty of there being any congress, because there is to be none this year,—the time originally appointed. He painted the United States Commissioner as wandering about Europe in search of a prison congress, and probably being obliged to return without finding it, after

spending thousands of dollars in the search. This was his principal weapon, and there was nobody that knew how to turn it."

The election of General Hayes as president in the winter of 1876-77 placed in authority at Washington a sincere friend of Dr. Wines and of prison reform; and the needful appropriation was made in the first year of his presidency. After retiring to private life in 1881, and when the National Prison Association, which slumbered for a few years in consequence of the death of Dr. Wines, was revived in 1882, General Hayes became its president, and we had the honor and pleasure of meeting with him in that capacity for several years. This association is now active, but its finances are not yet on that secure basis which Dr. Wines suggested in 1876, and which, had he been a younger man, he would doubtless have established, in the manner suggested by him in a letter to Dr. F. H. Wines in the summer of 1876, on the subject of the appeal to the country for funds, of which an extract has here been given. Writing from Irvington, July 23, 1876, he said:

"I have delayed so long to answer your two letters, partly because I do not know what to say, and partly (perhaps chiefly) because, from the depressing influence of the weather and the circumstances, I seem to have lost all elasticity and spring of both mind and body. The proposed scheme can be really carried into effect, if at all, only, in my opinion, by personal effort; and probably the persons cannot be found in the different states who will or can give to it the necessary attention and effort. *My* hands are necessarily tied in an undertaking of this sort; and from your relation to me, you are scarcely more free to take an active part in it than I am. So, upon the whole, I suppose it must be given up.

"Of late I have been thinking of another plan, which, if it can be carried into effect, will be better, because it will give a permanent foundation to the work of the National Prison Association, and enable it to live and move forward in the coming years. It is, through the co-operation of the pastors and other leading citizens, to make a thorough canvass of New York for membership subscriptions of \$5, with the distinct understanding that they are to be regarded as annual subscriptions, payable each year in the month of May, till formally withdrawn. This work, by using a carriage for the purpose, I think I might still undertake myself; and it seems to me that 1000 subscriptions of this sort, perhaps more, might readily be secured in the city of New York. With this as a basis, the same work might then be pushed in other large cities, as Boston, Philadelphia, etc. When

the East shall have been pretty well secured for the work in this way, (that is, upon this moderate *individual* scale,) it might then be pushed in the West with better hope of success.

"If we could get throughout the country 4000 annual memberships, it would put the work on a solid and enduring basis; because it would not be difficult to make up with new subscriptions the annual losses occurring by death and withdrawals. Even 2000 such memberships would give the Association a living income.

"I have long been in favor of getting good, earnest working women upon our Board of Directors; *and that must be done*. Women are more sympathetic than men, and they have more leisure for such work. A score or two enlisted in the work of collecting funds would, I believe, accomplish much in this way. These, then, are my present thoughts.

"There is a special objection to undertaking the proposed scheme just now; it is that we are entering upon a presidential election, and the rich men of both parties will be called upon for large subscriptions to carry on the canvass."

This was an excellent plan, but the time was unfavorable. Besides the excitement of the general election, there were individual exigencies in 1876. Mr. Brockway was beginning his great work in Elmira, and had little time or thought for anything else. I was ending a two years' chairmanship of the State Board of Charities, declining a reappointment, in consequence of unsuitable conditions at the Tewksbury State Almshouse; and I was also pledged to promote the infant years of the National Conference of Charities and Correction, which had not become the wide-reaching organization it is now; while the Social Science Association also claimed my attention as secretary. Other friends of Dr. Wines were also occupied with other thoughts, and could only give him their sympathy and occasional aid. Consequently, his plan was never put in force, and his later years were rather hampered by pecuniary cares.

In this particular Dr. Wines had the usual fortune of men of generosity who render public service; but he was exempt from the calumny that is often the lot of such benefactors. He was, of course, subject to the misconstruction and impertinence that is unavoidable in these careers. Dr. Theodore Dwight, already mentioned, who was his companion in a tour of inspection of American prisons, under the authority of the New York Prison Association, and by order of the state of New York, in 1865-66, once mentioned an incident of their visit to a large prison of the middle West. The warden had thought

it might be of advantage to his men, and certainly courteous to his distinguished guests, if he should assemble the whole body of prisoners in the chapel for an hour or two, to hear remarks by the visitors from New York. Dr. Wines was addressing the convicts as his friends, and had their close attention, when the prison contractor entered the room, and rudely interrupted the speaker, saying, "Doctor, are you aware that you are addressing these men *on my time?*" Earlier in his official service, and while Horatio Seymour, who had occasioned some censure by addressing rioters in New York City as "My friends," was governor of New York, Dr. Wines was once visiting Sing Sing prison in company with Governor Seymour. Hearing him address the convicts in his usual manner, as I have heard him in several prisons, the governor remarked with a smile, "Doctor, I believe you and I are the only persons in this state who consider convicts as our friends." It was not literally true, but the number was certainly small. On this point his son says:

"Such faith and such charity,—such a root and such a stem,—could not but culminate in the bright flower of Hope. Dr. Charlton T. Lewis has said that in the management of prisons, and in all our dealings with convicts, we have to choose between fear and hope as motives to action. Fear degrades and hope uplifts. The penal codes of the past were founded on fear; those of the future will be based on hope. The gradual supplanting of fear by hope is a barometric test of the advance of modern civilization. The soul of Dr. Wines was alive with hope; it shone in his countenance, it breathed in every word from his lips or his pen. He inspired hope in all who came under his influence; it radiated from his personality. Men lighted their candles afresh at his flame; their fainting strength renewed as they drank of his spirit.

"But for this serene and rational optimism the examples of other men's labors in the past, and the record of their achievements would not have so appealed to him; men like Montesinos and Obermaier, and Maconochie, like Clement XI and Vilain XIV and Beccaria and John Howard. He gloried in calling attention to them. They were in his thought harbingers of the dawn of a new day. But for this he would not have been so ready to accept the teachings of Whately and Marsangy, of Davenport Hill and Crofton,—pioneers of human thought, messengers proclaiming a new evangel. Nor would he otherwise have manifested such sympathy with our own Brockway, who sought to create a new era of hope for the condemned outcasts of the world, by the introduction of the indeterminate sen-



Ellen C Johnson

tence in the New York Code, and who demonstrated the practicability and the great value of this innovation in criminal law. A genius and a hero, Brockway stands alone among our prison officials, and the memory of what he achieved can never die. Yet, but for my father the Elmira prison would not have been, nor the Sherborn reformatory for women; while the juvenile court, the probation officer and the parole system for first offenders (children or adults) might have been delayed for a generation. Other men *might have* done what he did, but *he* did it; not alone, but with the aid of the few who stood by him while alive, and the many who have followed in his steps since his death. Count di Foresti, an Italian Councillor, has said of him, 'To Dr. Wines, more than to any other individual, is due the great reform which is the glory of the latter half of the nineteenth century.' "

Such is the verdict of filial regard and of disinterested friendship; and if impartial history shall modify it, there will still be enough glory due him in the field where he exhausted his strength without chilling his hope. In spite of discouragements, which by 1876 were the weightier because Dr. Wines had become threescore and ten, and was suffering from a serious lameness, he continued his efforts, and gave his last toil to the compilation of that volume which carries his name down as author of a book that nobody else could have written,—his *State of Prisons and of Child-Saving Institutions in the Civilized World*. This work, of more than 700 pages, he lived to complete, though not to see it through the press of his friend the Cambridge printer, John Wilson, at whose house he died, in December, 1879. It was a death unexpected, but for which his whole life had been a preparation.